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TERROR AND
TRUTH IN SPAIN
The Editors
Samuel
Loewenberg

BLIX
NOT BOMBS
Ian Williams

THREE MILE
ISLAND AT 25
Mark Hertsgaard

HOW EXXON
AVOIDS PAYING
FOR THE
VALDEZ SPILL
Ashley Shelby

CAMUS AND
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Russell Jacoby

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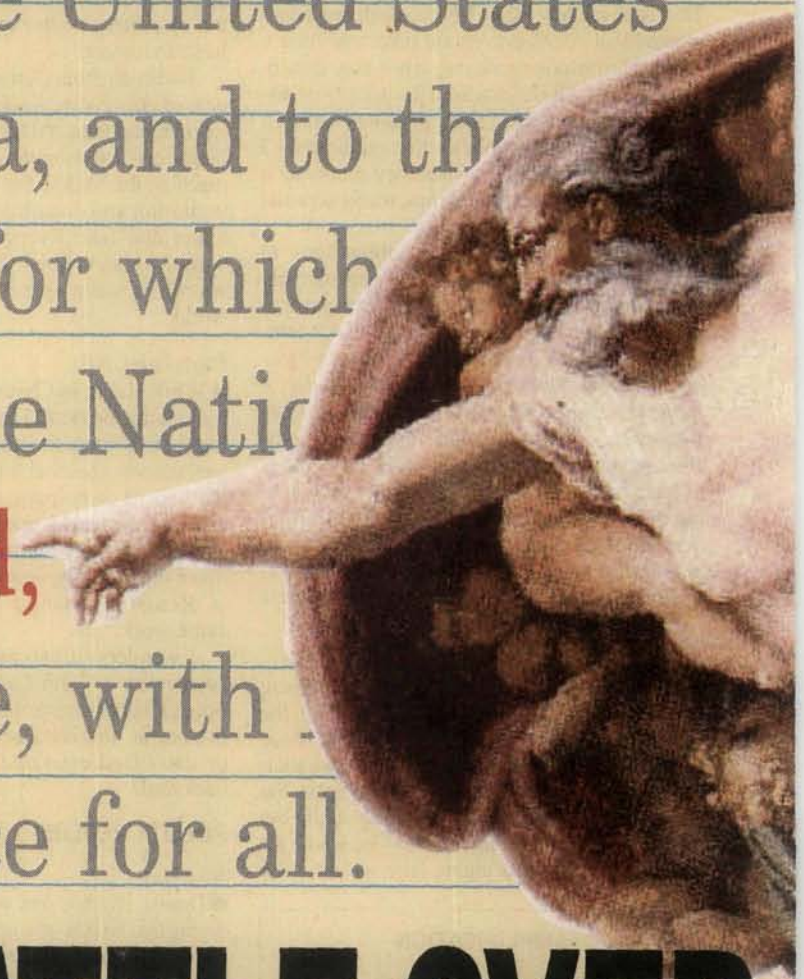

THE BATTLE OVER THE PLEDGE

by ELISABETH SIFTON

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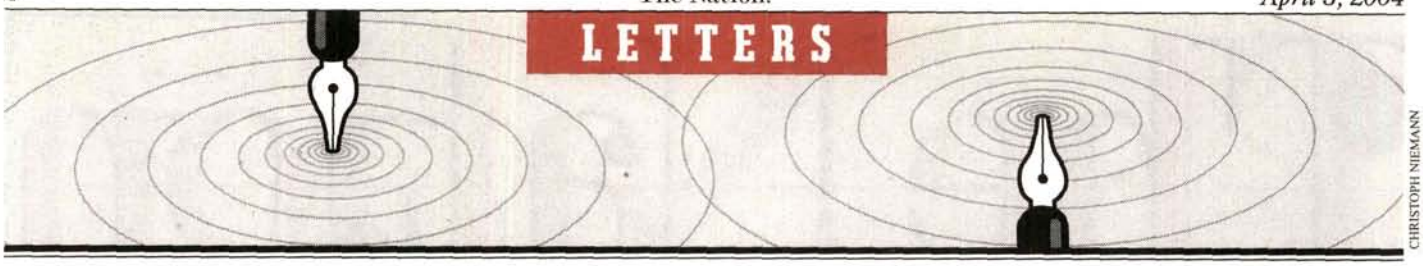

CHRISTOPH NIEMANN

THE NICHOLAS KRISTOF MONOLOGUES?

Kingston, RI

■ In her March 1 "Subject to Debate" column, "Kristof to the Rescue?," Katha Pollitt briefly mentions my work against the global sex trade, but in a way that leaves a false impression of the scholarship and advocacy I do. Pollitt writes that I oppose the distribution of condoms in brothels. This is absolutely false. My research has documented that AIDS prevention programs have a policy of overlooking slavery when they distribute condoms. I have criticized the priority of distributing condoms over freeing women and children. I advocate for policies that require NGO workers to report slavery when they encounter it and for laws that penalize pimps, traffickers and the men who go to brothels.

Pollitt lists conservative publications in which my articles have appeared—presumably to smear me by association. But she neglects to mention that I also have published in such feminist venues as Women's eNews, *Women's Freedom Network Newsletter*, *Rain and Thunder: A Radical Feminist Journal*, *Feminista*, *Hastings Women's Law Journal* and *Violence Against Women*, to name a few recent ones. My goal is to have the greatest political impact by reaching the widest possible audience with information about the global exploitation of women in prostitution and to galvanize a response to end this form of slavery. DONNA M. HUGHES

Cairo

■ I went to see *The Vagina Monologues* here recently. Because of its controversial nature, the play was not publicized and ran only three nights. It was free, and donations went to a shelter for battered women—the first ever in the Middle East. We went on opening night but could not get in; the line was too long and the theater was full. Two nights later we returned, arriving an hour early, and stood in line with about thirty others, most of whom did not get in.

During the show, an actress, upon completing her monologue, spoke of female circumcision in Egypt. Several members of the audience stood up and left—but they did hear. They heard at least part of the message. Will it have an impact? Judging from the lines outside, the applause inside, the discomfort of many and the directness of the script, I say, yes. It will have an impact.

I wish Nicholas Kristof had been there. The cast of American, Asian and Egyptian young women had guts. V-Day caused many to think, laugh, cry and want to take action. Feminism is reaching the Middle East. It must do so through invitation and donation. It must do so despite anger and fear. Everyone assumed the play would be shut down by the government. It wasn't. It was a victory for women across the world. ANGELA MCCALLUM

High Point, NC

■ While living in Chapel Hill, North Carolina (population 44,000), I had the pleasure of working for two international reproductive health organizations: Ipas and IntraHealth International. Both focus on helping women in low-resource areas of the world, and both do so with feminist sensibilities and modest funding. Right down the highway, Family Health International in Research Triangle Park does much the same work.

I wonder—if two relatively small cities in conservative North Carolina alone offer multiple global organizations focused on reproductive health, how is it that Nicholas Kristof claims he can't find even one in his own New York backyard? REBECCA MANN

AMPLIFICATION

Because of space constraints and incautious wording in my column last week, I referred to the *Times*'s "Jayson Blair/Gerald Boyd problem." I intended to refer to those attacks on the *Times* that had asserted or implied that Boyd had in some way been responsible for overlooking Blair's shortcomings and that this pattern somehow reflected on the *Times*'s affirmative-action policies. I did not mean to imply that there was any truth to these accusations. Indeed, there is none on the record as far as I am aware. I apologize to Mr. Boyd for any misimpressions I may have created. ERIC ALTERMAN

POLLITT REPLIES

New York City

■ Donna Hughes has written many pieces alleging that NGOs who push condom distribution in brothels and that teach prostitutes to "negotiate" condom use with johns are cooperating in a system of slavery. In "Humanitarian Sexploitation: The world's sex slaves need liberation not condoms" (*The Weekly Standard*, February 24, 2003) she portrays health workers who do condom education and distribution as working hand in glove with pimps and criminal gangs and rather overlooks the raging epidemic that makes groups like Médecins Sans Frontières so desperate about condom use. It should also be noted that Hughes's position is that virtually all prostitution is coerced by pimps and traffickers. I don't think that is true.

I completely agree with Hughes that coerced prostitution is a terrible crime and that girls and women imprisoned in brothels or controlled by pimps need liberation—but unfortunately, this being the real world, they need condoms too. Condom use in brothels has, after all, been key to reducing Thailand's HIV infection rate, saving the lives of countless women, both prostitutes and wives of johns. Although Hughes says she does not oppose condom distribution, the thrust of her work is to belittle it. That she puts these views forward in magazines that have their own anti-condom and anti-sex-ed agendas is unfortunate. KATHA POLLITT

TRIFLING WITH THE LAW

Duluth, Minn.

■ Thanks for David Cole's explication of federal harassment at Drake University, "Spying on the Guild" [March 1]. On the heels of that episode, we read of Army agents trolling the halls at the University of Texas law school "looking for a roster of attendees at a recent conference on Islamic law and sexism" (*Houston Chronicle*). The agents did not obtain the attendance roster they sought. One questions the intelligence of agents who attempt baseless intimidation of law students, of all people, who are better armed than most to resist such tactics.

CHARLENE MILLER

ONE MOTHER'S WAR

South Haven, Mich.

■ I am *furious*. I knew when the neocons stole the Florida election, things would go sour, and, yes, I marched three times against this cabal. But little did my husband and I know then that the election would effectively take his son, my stepson, over to Iraq. I have followed this barbaric slaughter from the beginning. I watch it with new eyes now. I wonder every time an explosion occurs or a soldier is killed, Is that my loved one?

His name is Michael. He's 21. He's an Army reservist. No, he didn't join the reserves to go halfway around the world to be part of the occupation of another country for a bunch of neocons who have been planning this for years. He went into the reserves for training so he could be a police officer someday. (You see, they think like that at 21. They think that's a good idea, no matter what you tell them.) He was a weekend warrior, a kid who lacked worldly experience and hoped for a college education.

A beautiful young man is somewhere in Iraq right now, sent over with scoliosis (the Army conveniently lost his X-rays) for no damn reason except to prop up short-term profits and giveaways to US corporations. We don't know if we will ever see him again. What we do know is that he just walked into a civil war that is erupting daily into unadulterated hell on earth. We

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EDITORIALS

Terror & Truth in Spain

The horrific bombings in Spain, which claimed more than 200 lives, were sad proof that terrorists can achieve success when their target is a government that has distanced itself from its people and pursued a misconceived counterterrorism policy. It also shows, in particular, that George W. Bush's "war on terrorism" is wrongheaded and dangerous.

All decent people mourn the loss of innocent lives and want the thugs who mount such attacks brought to justice. But let's be clear. The perpetrators of the Madrid attacks—who as of this writing seem to be Islamic fundamentalists—were able to meet their apparent objective (punishing the Popular Party government of José María Aznar) only because Bush had drawn the Spanish government into a dubious exercise: war on Iraq.

Bush and his lieutenants argued before the war that it was imperative to invade and occupy Iraq because Saddam Hussein had a massive number of WMDs and operational ties to Al Qaeda. Most of Washington's allies, a large number of Americans and majorities in other countries—including Spain—didn't buy that argument. Their skepticism has been borne out. As José Luis Rodríguez Zapatero, Spain's incoming Prime Minister, declared, "You can't organize a war with lies." He has vowed to pull Spain's small but symbolic force out of Iraq by the end of June unless the military operation there is handed over to the United Nations.

The attack in Madrid was a reminder that the high concept of Bush's war—smashing Saddam as a dramatic victory in the war on terror—has no foundation in reality. In fact, the attack reinforces the opposite view: that the war on Iraq has undermined the effort against Al Qaeda. The war in Iraq may well have stepped up the spread of Osama bin Laden's strain of virulent anti-Americanism among Muslim extremists while hampering US efforts to neutralize Al Qaeda. A recent *Washington Post* article notes that the CIA—the lead agency in the fight against Al Qaeda—has been stretched thin by its responsibilities in Iraq. And James Webb, Secretary of the Navy in the Reagan Administration, has observed, "Bush arguably has committed the greatest strategic blunder in modern memory. To put it bluntly, he attacked the wrong target...and, in so doing, bogged down a huge percentage of our military...our military is being forced to trade away its maneuverability in the wider war against terrorism."

It is understandable that Spaniards would react to the horror by booting a government that had defied their wishes. Many Spanish voters were also upset by the government's all-too-quick attempt to blame Basque separatists for the carnage. (Imagine that: an electorate rejecting a government for misleading it.) Conservatives in the United States decried the anti-Aznar vote as a blow to the war on terror. It was no such thing. It was a repudiation of the phony case Bush made for war in Iraq, a case Aznar too willingly accepted. It was a statement that Spaniards—and no doubt other Europeans—have little confidence in Bush's leadership and fear they're paying the price for his arrogant missteps.

The Spanish vote was a warning. The United States is now more isolated in Iraq, and Bush's war on terrorism is further discredited globally. As the Spanish bombing makes clear, effective counterterrorism requires close coordination among nations on intelligence and police matters—not invasions of countries with no connection to 9/11. Such cooperation is unlikely if the United States and its allies are divided over the Iraq war.

Bush responded to the Madrid attack with predictable stay-the-course rhetoric. But we need a new course—one that can win the support of nations and people around the world.

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COMMENT

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A Vote for Honesty

Madrid

It is a maxim of politics that people do not vote on foreign policy. But foreign policy became a domestic issue here on March 11, when the country was shaken by the early morning terrorist strikes on four Madrid commuter trains.

The moment at which Spaniards decided to throw out the conservative Popular Party that had ruled the country for eight years was not the attack itself, which took more than 200 lives and injured over 1,500 people. In the immediate aftermath of the blasts the government announced that they had almost certainly been the work of the Basque separatist group ETA, and with national elections only three days away, the conventional wisdom here was that the people would rally behind the ruling party for its hard-line law-and-order policies. But attitudes changed as hour-by-hour revelations suggested that the government had downplayed evidence pointing to Islamic extremist groups engaged in reprisals for Spain's backing of the US invasions of Iraq and Afghanistan. Public anger boiled over when it became clear that the government was desperately trying to spin the investigation. Spain's largest daily, *El Pais*, reported that Foreign Minister Ana Palacio had ordered Spanish embassies to push the ETA line, and, in a particularly clumsy move, Prime Minister José María Aznar personally called the editors of the country's newspapers warning them off pursuing the Al Qaeda connections.

People did not like being lied to. The night before the elections, thousands filled the streets outside the Popular Party's headquarters, accusing the government of making Spain a target with its US alliance and then trying to cover up the consequences. "We want the truth before the elections," the crowd chanted. "No more manipulation of information!" The demonstrations continued throughout the night, with groups of protesters marching through the city's cobblestone streets banging pots and pans. "We were tired of this authoritarian style of government," said José Ortega, a Madrid psychology professor.

Until the bombing and the government reaction, the Popular Party had been expected to win the election easily, even though an overwhelming majority of the people had opposed Spain's involvement in the Iraq war. Compared with economic growth and domestic tranquillity, Spain's relatively small involvement in the war was an abstract idea. "We didn't want to go to war, but we did [it] because of Aznar," said Miguel Barrios, a 45-year-old maintenance worker who was in one of the bombed trains. "They didn't pay attention to the antiwar movement."

For the Bush Administration, the election of the Socialists means the loss of a crucial supporter of its foreign policy. In a news conference, Prime Minister–elect José Luis Rodríguez Zapatero called the Iraq war and subsequent occupation "a disaster" and pledged to bring Spain's 1,300 troops home by the end of June unless the occupation comes under United Nations control. Zapatero said fighting terrorism cannot be a unilateral action, but requires "a grand alliance" of democracies. Socialist envoys are already preparing to mend relations with the French and German governments and to work more closely with them. "Assuming it is Al Qaeda, it is not just a Spanish problem, it is

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a European problem," said Rafael Bardaji, a former Spanish intelligence official.

Meanwhile, Spaniards continue grieving. On the Sunday after the attacks, hundreds of people showed up at the train stations where the blasts had occurred to mourn at ad hoc shrines. Normally drab corners and walkways were strewn with flowers, crayon drawings, photographs and, in one station, a teddy bear. That night, following the surprise ouster of the Popular Party, the atmosphere was less celebratory than one of muted relief. "The sensation is both bitter and sweet," said Ortega. "We are happy, but we are mourning." SAMUEL LOEWENBERG

Samuel Loewenberg, a journalist based in Madrid, has written for the New York Times *and* Time, *among other publications.*

Blix Not Bombs

Before he left New York, Hans Blix had a poster on his apartment wall from the big antiwar demonstration in New York City a year ago on the eve of the attack on Iraq. "Blix Not Bombs," it proclaims. Blix, the former head of UNMOVIC, the United Nations arms-inspection team in Iraq, is an unlikely poster-person. Avuncular, quiet-spoken but with a sharp and wry sense of humor, the Swedish diplomat has had an eclectic set of enemies. Deputy Defense Secretary Paul Wolfowitz set the CIA to investigate him and reportedly "hit the ceiling" when—not for the first time, it now appears—the agency came back with the "wrong" intelligence. On the other hand, before the endgame began, the Iraqis denounced him as a "spy" and some antiwar protesters castigated him and his inspectors as the tools of American warmongers.

That means he probably got it about right, and even now, in his just-published book, *Disarming Iraq*, he has not gone out of his way to make friends. The failure to discover WMDs in Iraq, he told *The Nation* in an interview, proves that export controls and rigorous inspection backed by military pressure had already disarmed Iraq before the war.

Coming from the long Swedish tradition of support for the UN, he laconically repudiates the idea prevalent in pro-Administration circles that the organization in any way "failed" when it refused to back the invasion. "It is an interesting notion that when a small minority has been rebuffed by a strong majority, it is the majority that has failed the test," he says.

Blix depicts the road to war in Iraq as a chronicle of willful self-delusion practiced by the major antagonists, in which Saddam Hussein and George W. Bush effectively conspired to pretend that Iraq was a military threat. He is happy to spread the blame around: to Saddam, for his refusal to cooperate with the inspectors until it was too late, and to the United States, for its refusal to take yes for an answer when the Iraqis did finally agree to let them in.

An optimist, Blix did not give up hope that inspections could avert war until Assistant Secretary of State John Wolf "phoned and told us 'you better move out.'" Now, he says, "I feel that the most important thing that could have happened is if the US had allowed the inspections to go on at all the sites that they claimed had weapons of mass destruction. Perhaps it would have dawned on them that their intelligence was not so good."

Blix is not in fact certain that the Administration began with invasion in mind. He comments that "certainly Colin Powell was no more hawkish than [Madeleine] Albright at the beginning. I don't think they had plans for occupation then, although it may have been in the formative stages. Nothing really happened until 9/11; without that they may have continued the policy of containment. But in that case I'm not sure the inspectors would have got in. It would not have happened easily without the military buildup."

But once Saddam bowed to the pressure and the inspectors did go in, there was a clear divergence on the role of the inspectors, and Blix characterizes the Bush Administration view in the book as, "The witches exist; you are appointed to deal with these witches; testing whether there are witches is only a dilution of the witch hunt."

By January 2003, Blix recalls, instead of finding evidence that would justify war, he had his first suspicions that Saddam might be telling the truth. "We received tips about sites from intelligence agencies, and when we went to them only in three cases did we find anything at all." What they found instead, as he explains in his book, were forgotten odds and ends, leftover cluster bombs and the famous drone, not evidence of any current weapons programs. "It was then we realized that this intelligence was the best they had, but that it did not give us anything."

Candidly, Blix admits that he himself was surprised by the seeming absence of WMDs and can only guess why Saddam in effect put up a sign saying "Beware of the Dog" when he did not have one. "He might have been sending a signal to neighbors, who would think, 'Well, although he denied he had weapons, maybe they are there,' so he would look dangerous." Alternatively, Blix suggests, perhaps "Saddam heard from US spokesmen many times that only his disappearance would lead to lifting sanctions—that did not give him many incentives." Other possibilities, he says, are Saddam's "pride," or that the Iraqis "knew that some of the UNSCOM inspectors had reported directly to their authorities on military sites they saw, which could afterwards become bombing targets."

One character who appears prescient about Iraq in Blix's book is Jacques Chirac, whom Blix went to see just before the war. He recalls, "By then we had begun to have some doubts certainly, but by and large we thought there were weapons. However, he [Chirac] doubted it, and he also was among the first who doubted the intelligence reports." Blix adds, "He said that the agencies 'intoxicate each other.' He also said Saddam was in an intellectual bunker. Which was probably also true."

Blix obviously relishes the admission by David Kay, the chief US WMD-hunter who recently resigned, that there were no weapons to be found. As Blix's book shows, for years after leaving the original UN inspection team Kay harshly criticized him and UN inspectors for their alleged failures. Indeed, Blix quotes Kay as writing in January 2003, "Iraq is in breach of UN demands that it dismantle its weapons of mass destruction.... Let's not give it more time to cheat and retreat." He is openly skeptical of Kay's face-saving evidence to Congress alleging weapons "programs" and underground laboratories that, Blix says, "Bush

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is gratefully quoting." And he adds, "To that I would say that, well, all the evidence they had for the existence of the stocks of weapons has fallen apart; now let us see what evidence they have for the 'programs.'"

After Blix's retirement from the UN, the Swedish government made him the head of an international commission on weapons of mass destruction, which he hopes will produce some "do-able and constructive" findings—although he says in an aside that "news of the new American bunker-buster nuclear bombs may make it harder to raise enthusiasm for a nonproliferation conference in 2005." Blix does not claim to be a pacifist and quotes Kofi Annan on the efficacy of diplomacy backed by military pressure. But he does not accept the legality of the invasion of Iraq. Although he disowns British newspaper headlines proclaiming that he described Blair's legal justification as "bogus," he repeats the claim, albeit more politely: "I don't think that it is valid to maintain that these resolutions gave authority to individual members of the Security Council to go to war. I think the SC owns its resolutions, and it was for the council to authorize action, not for the individual states to arrogate to themselves that authority."

Perhaps in this instance Blix's unfailing politeness actually misleads him. He still assumes that the purpose of the exercise was the disarmament of Iraq, when there is plenty of evidence—some of which he cites himself—that for many in the Administration, the disarmament and inspections were intended as an excuse for the overthrow of a regime that was indeed bloody and tyrannical, but which, as Blix himself points out in his book, was far from unique in that.

And as a post-mortem, the book notes that "a combined UN and IAEA inspection force of fewer than 200 inspectors costing perhaps $80 million per year was pushed out and replaced by an invasion force of some 300,000 personnel costing approximately $80 billion per year." Blix ends his book with a typically low-key but, for him, strong condemnation of the "greater price" of the invasion "in the compromised legitimacy of the action, in the diminished authority of the United Nations." IAN WILLIAMS

Ian Williams, The Nation*'s UN correspondent, is at work on* Deserter: Bush's War on the Military, Veterans, and His Past *for Nation Books.*

In Fact...

WHOM DO YOU DISTRUST?

■ A recent survey by the Ponemon Institute, an independent think tank that studies information issues in business and government, asked more than 6,300 adults which of a long list of government agencies they trust to safeguard personal information collected about them and which they do not. Based on the percentage of yes or no responses, agencies received a Privacy Trust rating. The most trusted: US Postal Service, Veterans Affairs, Internal Revenue Service, Social Security Administration and Federal Trade Commission, in that order. And those the fewest citizens trust? The Office of the Attorney General and the Justice Department. Ashcroft, please copy (see www.ponemon.org).

THIS WEEK ON THE WEB

■ John Nichols reports on the latest political news, from Barack Obama's win in the Illinois US Senate Democratic primary to Al Sharpton's endorsement of John Kerry. Anya Kamenetz looks at what's happened to Generation Dean, Pnina Failer is interviewed on her decades as an Israeli nurse and peace activist, Marc Cooper remembers the great social-justice journalist Marshall Frady and Katrina vanden Heuvel asks why liberals are so afraid to take their own side in a fight. Plus reports from the March 20 peace protests in Washington and abroad (all at www.thenation.com).

Trying Saddam

The capture of Saddam Hussein has raised the question of how best to hold him accountable for the horrendous human rights violations committed by his regime. The Bush Administration has come up with a proposal, approved in the form of a law adopted by the Iraqi Governing Council on December 10, under which he would be tried by a special tribunal of Iraqis appointed by the council, which may also include some foreign judges and foreign advisers. Following this the United States has sent several legal advisers to Iraq to help build the case against Saddam.

But this mixed-tribunal model, the first example of which was the Cambodia-UN tribunal created to hold the Khmer Rouge accountable—subsequently adopted in Sierra Leone and East Timor with modifications—is fundamentally inappropriate for Iraq. The tribunal is also flawed because it prevents any inquiry into the human rights violations committed by the West, including the United States, in Iraq. Human rights groups are right that a genuine international tribunal is necessary, but it would have to be different from what they have proposed.

There is no doubt that Saddam is one of the worst mass killers alive. His gassing of the Kurds in 1988, as well as his massacre of the Shiite rebels in 1991, are stark examples of his best-known atrocities, but there are many more ordinary ones. Indeed, given the number of enemies he has within Iraq, he is lucky to have been captured alive. His trial could have a positive educational impact on the region's many mass murderers still in power. However, the decision to ask the Iraqi Governing Council to deal with Saddam's crimes is like asking the Vietnamese-installed puppet regime in Cambodia in 1979 to try the Khmer Rouge. Like the latter, the Iraqi Governing Council is not independent and is controlled by a foreign occupier. In fact, the Cambodian regime held a show trial of the gang of Pol Pot and Ieng Sary in 1979 that commanded no legitimacy whatsoever, even though it, too, included the participation of foreign jurists. Why should the proposed Iraqi tribunal be any different?

International humanitarian and human rights law has evolved so much since the 1970s that there are now fairly clear principles that govern the composition and conduct of human rights trials after regime change. One principle is that the new regime that establishes the trial mechanism must not have been installed by a foreign power—as is the case in Iraq—but must result from

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the genuine exercise of the right to self-determination. Another principle is that the new regime be internally democratic—again, not the case currently in Iraq. Whatever limited powers the Iraqi Governing Council has under international law, it certainly doesn't have the power to create a legitimate human rights tribunal. Indeed, such a tribunal would be an American tribunal with an Iraqi face.

Yet another principle that has become well established is that the domestic judiciary should be capable of meeting international standards relating to fair trial, as laid down in international human rights conventions. It is generally conceded that the Iraqi judiciary is a shambles and that it lacks the capacity to insure such standards. To gloss over this problem, the Bush Administration has proposed that foreign judges may help the Iraqi tribunal—the mixed-tribunal model.

But despite the veneer of legitimacy sought through the participation of foreign judges, the proposed tribunal would in fact be an American-run court enacting a classic victor's justice. The law that establishes the tribunal provides that only Iraqi nationals can be prosecuted under the tribunal for any mass crime committed between 1968 and 2003. That excludes the culpability of Iranian forces during the Iran-Iraq war and, of course, the United States. There is substantial evidence that many US actions since the 1991 Gulf War may constitute crimes against peace, war crimes or crimes against humanity, such as the use of excessive and disproportionate force; the enforcement of sanctions during the 1990s, which saw the death of more than 500,000 Iraqi children; the illegal bombing of Iraq in 1998; and the waging of the current war, which violated every rule of existing international law on the use of force. But prosecutors appointed by the Governing Council are unlikely to pay sufficient attention to these facts or to the well-known support provided by the West to Saddam's regime in the 1980s for building chemical weapons, which he then used against the Kurds and the Iranians. And, as noted, even if the tribunal wants to prosecute some non-Iraqi people for conspiracy or complicity with Saddam, it is prevented from doing so by the law that establishes it. More important, preventing Saddam from appearing before a genuinely independent tribunal would insure that the Bush Administration's case for war is never tested in a court of law, especially in an election year, when it could prove uncomfortable.

Most human rights groups are not paying sufficient attention to these issues. Instead, they are demanding that an international tribunal be established excluding Iraqis on the grounds that Iraqi judges lack the necessary competence. This imperial and arrogant assertion has actually helped the Bush Administration sell its proposed tribunal as Iraqi-controlled and therefore nationalistic and more legitimate. In addition, the proposed tribunal would, as it is structured, place all blame for human rights violations only at Saddam's feet. That in turn would serve to legitimize the war against Iraq as a war waged for principles. Efforts are already well under way to rewrite the history of the war against Iraq as a war for democracy and human rights, rather than one designed to prevent Iraq from sharing weapons of mass destruction with terrorists, as was originally claimed. Human rights groups must not be complicit in this revisionist history.

One possible alternative to this tribunal would be for the UN Security Council to create an international tribunal to which the UN Secretary General would have the authority to appoint judges and prosecutors in consultation with a broad cross-section of Iraqis, and which could have some Iraqi judges. But it would be an international tribunal with Iraqi participation, and could even operate in Baghdad; it would not be an Iraqi tribunal with nominal foreign participation. Such a tribunal would have domestic and international legitimacy and could be capable of insuring even-handed justice. Authorized by the UN Security Council and with the participation of judges from around the world, including key Muslim nations as well as some Iraqis, this tribunal might be able not only to insure justice to the victims of Saddam but also to hold the United States accountable for its sordid record and make it more difficult to rewrite the history of the 2003 Iraq war. Such a tribunal would be supported by global public opinion, although admittedly it would be difficult to create through the UN Security Council because of the US veto—unless the Democrats win the White House and miraculously decide to allow an independent tribunal to test the legal and factual case for the Iraq war as part of a human rights investigation in Iraq. An alternative would be to establish a tribunal through a UN General Assembly resolution, where it might be possible to get a majority of states to support an evenhanded tribunal.

Unless such a tribunal is created to prosecute everyone who is responsible for massive crimes in Iraq, the world, including the American people, must reject the charade that a trial of Saddam is likely to be.

BALAKRISHNAN RAJAGOPAL

Balakrishnan Rajagopal, a professor and director of the Program on Human Rights and Justice at MIT, is the author of International Law From Below *(Cambridge). He proposed the creation of the Cambodia-UN mixed tribunal.*

Three Mile Island

On the morning of September 11, 2001, after the second plane hit the World Trade Center and it was clear that the nation was under attack, US authorities issued an emergency alert, grounding air traffic and ordering nuclear power stations and other potential terrorist targets to go to their highest level of security. At the Three Mile Island nuclear plant in Pennsylvania, security guards sprang into action but soon ran into trouble: A gate designed to keep attackers out of the plant refused to close. Two hours later the guards were still struggling to shut it.

This was not the first time the Three Mile Island plant had given cause for alarm, of course. Twenty-five years ago, TMI suffered the most serious nuclear power accident in US history. In the pre-dawn darkness of Wednesday, March 28, 1979, the cooling system of TMI's Unit Two reactor malfunctioned, sending temperatures inside soaring. For the next four days, the nation and the world watched with bated breath to see whether a full-scale core meltdown would follow.

That Friday morning, I was interviewing Leo Yochum, a senior executive vice president at the Westinghouse Electric Corporation, for a book I was writing about the nuclear industry. There had been

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COMMENT

no new reactor orders for five years, and now the accident at TMI was strengthening speculation that the US nuclear industry was doomed. But not at all, Yochum insisted. "I just don't understand all this talk about nuclear being dead," he complained. "There's a nuclear imperative in this country. We know it, Wall Street knows it, and we're prepared to meet it."

Subsequent interviews with dozens of Yochum's colleagues confirmed his point: The industry had no intention of giving up. Convinced of their technology's historical inevitability, they would prepare for a comeback, redoubling safety efforts and launching a public relations campaign arguing that in the face of uncertain global energy supplies and the threat of climate change, nuclear power was actually the most secure and environmentally benign source of electricity available. If everything went as planned, the executives estimated, reactor orders should rebound by the 1990s.

That timetable has proven optimistic—there have been no new orders yet—but the industry is still here, still planning on a bright future and doing well enough financially in the meantime that it can afford to wait. Current revenues come mainly from servicing the existing 103 nuclear plants in the United States. Since those plants account for 20 percent of America's electricity, there is no chance of shutting down the nuclear industry anytime soon. And over time, the lack of another major accident, along with the industry's PR campaign, has increased public acceptance of new nukes to 50 percent of Americans.

The biggest obstacle today, as it was before the accident, is economics. The high capital costs of nuclear plants, which are caused mainly by their long and uncertain construction schedules (which in turn are driven by public concern over safety), leave them unable to compete for investment dollars. Coal, natural gas and improved energy efficiency are much less expensive.

But if Wall Street has turned its back on nuclear power, the industry's longtime backers in Washington have not. The initial Bush-Cheney energy plan proposed building 1,000 new nuclear power plants by 2020—an average of one a week. Even the industry recognizes that goal as ludicrously unrealistic; it has called for approximately fifty new plants. And it has a strategy for making those plants cost-effective: slash construction schedules. Toward that end, the industry won approval from the Clinton Administration for new reactor designs that allow for quicker regulatory approval; now the Bush Administration is urging a "streamlined" regulatory process—i.e., one allowing the public less latitude to raise objections and cause delays.

But the legacy of September 11 may thwart these plans. The fourth plane hijacked that day crashed a mere 120 miles from Three Mile Island, highlighting the vulnerability of nuclear plants to terrorist attack. The industry rushed out a claim that government tests had shown nuclear plants withstanding a direct hit from a 757 jet. But the scientists at the Sandia National Laboratory who conducted those tests disavowed that conclusion. Meanwhile, other government tests had found that security forces at nuclear plants had failed to repel mock terrorist attacks more than 50 percent of the time—even though the forces knew well in advance exactly what day the "terrorists" were coming. Such shortcomings will surely raise concerns among any state or local public officials considering approval of new nuclear plants.

Nuclear waste, long the industry's Achilles' heel, poses similar difficulties, though the executives don't understand why. "If you do a halfway decent job of disposing of it," one top executive explained during my book interviews, "it's at least a few hundred years before anything could go wrong, and [the citizens and legislators declaring their states off-limits to nuclear dumping] won't even be here then." At Bush's urging, Congress in 2002 overwhelmingly approved Yucca Mountain, in Nevada, as a permanent disposal site for the nation's nuclear waste. But the state of Nevada has promised an extended legal fight, and it will have plenty of evidence. A report by the nonpartisan General Accounting Office concluded that Yucca Mountain was chosen after "a failed scientific process." And a member of the Nuclear Waste Technical Review Board, Paul Craig, recently resigned in order to release his warning that the current design of Yucca Mountain is certain to leak radioactive waste.

The industry and its government backers hope to overcome all these problems by tying nuclear power's future to the new darling of alternative energy, hydrogen. Bush's current energy bill proposes spending $1.1 billion to build a reactor in Idaho to try to produce hydrogen. Cindy Folkers of the Nuclear Information and Resource Service, an antinuclear advocacy group in Washington,

(Continued on Page 24)

CALVIN TRILLIN

'I'M AN OLD COWHAND,' AS SUNG BY GEORGE W. BUSH

(With apologies to Johnny Mercer)

I'm an old cowhand from the hinterland,
Which an Eastern wuss wouldn't understand.
Ain't a rich folks tax-cut I wouldn't sign,
But I don't know no one who drinks white wine.
How 'bout Kenneth Lay? Weren't no friend of mine.
Yippee i oh ti-ay! Yippee i oh ti-ay!

I'm a cowpoke, folks. Don't eat artichokes.
Burgers do me fine. Wash 'em down with Cokes.
In my battle flight-suit I'll strike a pose,
But I got compassion, down to my toes.
It's for unborn babies and CEOs.
Yippee i oh ti-ay! Yippee i oh ti-ay!

I'm a cowboy, guys. This is no disguise.
I don't flip or flop. I don't agonize.
Ain't no bad guy goin' I won't bombard.
Kerry's soft on bad guys and I am hard—
Toughest hombre ever hid in the Guard.
Yippee i oh ti-ay! Yippee i oh ti-ay!

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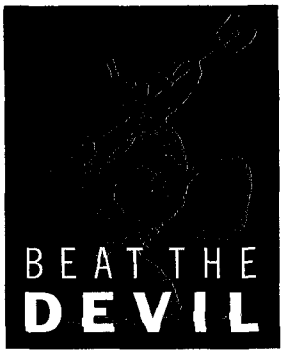
ALEXANDER COCKBURN

Gay Marriage: Sidestep on Freedom's Path



I'm for anything that terrifies Democrats, outrages Republicans, upsets the apple cart. But exultation about the gay marriages cemented in San Francisco, counties in Oregon and New Mexico, and some cities in New York is misplaced

Why rejoice when state and church extend their grip, which is what marriage is all about? Assimilation is not liberation, and the invocation of "equality" as the great attainment of these gay marriages should be challenged. Peter Tatchell, the British gay leader, put it well a couple of years ago: "Equality is a good start, but it is not sufficient. Equality for queers inevitably means equal rights on straight terms, since they are the ones who dominate and determine the existing legal framework. We conform—albeit equally—with their screwed-up system. That is not liberation. It is capitulation."

So the good news, as that excellent paper, *UltraViolet* (newsletter of LAGAI, Lesbian and Gay Insurrection), recently put it, is not that 400 gay couples are now legally married in San Francisco but that 69,201 in the city (*UltraViolet*'s number) are still living in sin.

Marriage diverts us from the path of necessary reform. Civil union, today lawful only in Vermont, is what makes sense as a national cause. Unmarried couples, straight or gay, need to be able to secure joint property, make safe wills, have hassle-free hospital visits and so forth. But issues of hospital visits or healthcare should have nothing to do with marriage, and marriage as a rite should have nothing to do with legal rights. "Marriage" should be separated from legal recognition of a bond, of a kinship.

There's a fork in the road for progressives. One path is sameness, expanding a troubled institution to same-sexers. But that path detours the real problems of relationships today and their official recognition. As a generation of feminists and the divorce rate attest, marriage is in sore trouble, well beyond powers of recuperation offered in Bush's proposed constitutional amendment, which would be a touching souvenir of a world long gone. Why have prenuptial agreements become common among people of moderate income? Prenups challenge the one-size-fits-all straitjacket of marriage, as do other important arrangements devised in recent years in response to changing anthropological and moral circumstance: co-parent adoptions, adoptions by single people, many varieties of public and private domestic partnerships, civil unions. Expand and strengthen the options. Get religion out of the law.

Civil union across the country would help to level a playing field that's become increasingly uneven. In some corporations gay couples have health benefits that unmarried straight couples don't. Contrary to endless rants about the "marriage penalty" in the federal tax code, a larger number of people enjoy a marriage bonus, as reported by the Congressional Joint Committee on Taxation in 1999.

Unmarried workers may lose hundreds or even thousands of dollars per year in employee benefits compensation. For example, as the Unmarried America website (www.unmarriedamerica.org) points out, "Most states will allow workers to collect unemployment compensation if they quit a job to move to a new area when their spouse is relocated by his or her company. But state laws usually will not give these benefits to a worker who quits to relocate with his or her domestic partner."

There are so many tricky questions, particularly now that morals and the surgeon's knife have deepened their own relationship. What happens when, say, a man who is already receiving domestic-partner benefits at work for his male partner goes through sex reassignment surgery and acquires the physical impedimenta of the opposite sex? Should the couple lose their bennies until they get legally hitched?

None of this should have anything to do with various rites of marriage such as a hippie New Age union celebrated waist deep in a river with solemn invocation of the winds and other natural forces, or a white wedding in a high Episcopal church.

"The pursuit of marriage in the name of equality," says Bill Dobbs, radical gay organizer, "shows how the gay imagination is shriveling." Judith Butler, professor at the University of California, Berkeley, exhibited kindred disquiet in a quote she gave the *New York Times* in March. "It's very hard to speak freely right now. But many gay people are uncomfortable with all this, because they feel their sense of an alternative movement is dying. Sexual politics was supposed to be about finding alternatives to marriage."

As Jim Eigo, a writer and activist whose thinking was very influential in the early days of ACT UP, put it a while back, what's the use of being queer if you can't be different? "Why are current mainstream gay organizations working to strike a bargain with straight society that will make some queers less equal than others? Under its terms, gays who are willing to mimic heterosexual relations and enter into a legally-enforced lifetime sexual bond with one other person will be granted special benefits and status to be withheld from those who refuse such domestication.... Marriage has no more place in efforts to achieve equality than slavery or the divine right of kings.... At this juncture in history, wouldn't it make more sense for us to try to figure out how to relieve heterosexuals of the outdated shackles of matrimony?"

And why marriage, or even civil union, to just one person? Why this endless replication of the Noah's Ark principle? You could have several people involved in some version of a reciprocal-beneficiary legal package.

For me the cheering political lesson is that Mayor Gavin Newsom of San Francisco felt the hot breath of a challenge from his left (in the form of his Green opponent, Matt Gonzalez) and felt impelled to radical action to consolidate his victory. That's good, because it shows the value of independent radical challenges, but that's where my cheers stop. Gay marriage is a step back in the march toward freedom. Civil unions for all! ■

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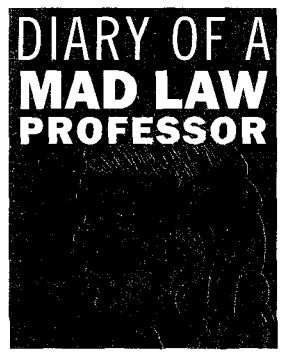
PATRICIA J. WILLIAMS

Uncommon Ground



A friend who lives in Paris forwarded me an item from the Internet, concerning a singles ad that had allegedly appeared in the *Atlanta Journal-Constitution*. It read: "Single Black Female seeks male companionship. Ethnicity unimportant. I'm a very good-looking girl who LOVES to play. I love long walks in the woods, riding in your pickup truck, hunting, camping and fishing trips, cozy winter nights lying by the fire. Candlelight dinners will have me eating out of your hands. Rub me the right way and watch me respond. I'll be at the front door when you get home from work, wearing only what nature gave me. Kiss me and I'm yours. Call (404) 875-6420 and ask for Daisy."

It was apparently a hoax of sorts, however, and at the end of the message there was a note that "over 15,000 men found themselves talking to the Atlanta Humane Society about an eight-week old black Labrador retriever."

My friend, who is not American, was incensed by this, but it was circulating among a group of her American co-workers as something to be laughed about. They could not begin to understand what was upsetting to her about it, and so she sent it on to me for a kind of cultural reality check. I in turn ran it by a few friends of mine. Not a very scientific test, admittedly, but interesting enough to get me on a roll.

My American compatriots, black and white (and mostly men, I should say) tended to insist that the humor in this ad did not necessarily demean black women—that the parody was "cute" as one described it, a play on words, and that there was no serious bestialization of human beings at stake here. Chill. To the extent that there was a sense (mostly among the women) of insult, they saw it as aimed at all women. Indeed, as an advertisement laden with lusty innuendo, it hints of prostitution more than just "play." To almost all of them, however, the humor lay in the unexpected substitution of one category of "black female" for another, a simple, silly kind of humor, innocent enough.

Yet what my Parisian friend couldn't get over was the very fact of a personal ad in which race was prominently mentioned at all. In contrast, almost all the Americans didn't make much of it. We've all seen ads like it, perhaps—the single black female, the lonely Asian male, the self-described hunk or hunkette who is tall, blond and emphatically Caucasian. Indeed, perhaps the most openly and unashamedly segregated sites in the United States remain the personals columns of any given newspaper or magazine.

"It's very conspicuous to someone who wasn't raised here," my friend in France said. "It's like when Americans speak of Africa like it's a nation; or refer to someone as Asian. Black and white are categories so huge as to have no rational meaning, yet since they have such undisputed power as a real social practice, it's a pretty reliable signal of some taboo or division, a place where no one wants to look."

So I guess we should try to look. Antimiscegenation was outlawed in 1967, but the degree to which those underlying attitudes and fears assert themselves even to this day is sometimes hard to see. When Essie Mae Washington-Williams stepped forward and revealed that she was Strom Thurmond's daughter, the very first news accounts almost universally described her as "a black woman" who claimed to be his daughter. Once his family admitted the relationship, however, she quickly became "mixed-race," specifically "half-black" or "biracial." But clearly, "biracial" doesn't really mean much in terms of biological heritage in a country where almost anyone who's been here more than two or three generations is not just biracial but multiracial and multicultural—words, alas, that seem to have become nothing less than dirty in the recent culture wars.

It's worth looking at the hidden layers of meaning behind the quietly polarizing category of "biracial": It seems to be emerging as a term reserved for those who are the product of recent rather than historical unions between one socially "black" parent and one socially "white" parent, *and* where the white parent acknowledges the child, either by marriage or—as with the Thurmond family—by admission.

This particular choosiness goes back to statutes like the Georgia law that Judge Charles Pickering defended in his infamous 1959 law review note: It deemed miscegenation on a par with incest, imposing sentences of up to ten years for "adultery or fornication" prohibited "by reason of race or blood." These days, interracial relationships are permitted under Georgia law, but the legacy of the old statute is apparently still at work. Take the case of Marcus Dixon, an honor student and high school football hero who was admitted to Vanderbilt University on a full scholarship. He had a consensual sexual relationship with his steady girlfriend when he had just turned 18 and she was three months shy of 16. Unfortunately for them, Georgia law considers underage sex a crime; it's deemed aggravated child molestation—whether or not the perpetrator is also a minor—and covers all sexual activity that results in "any injury." In Georgia, "injury" includes losing one's virginity. If the letter of this law were being obeyed, therefore, Georgia should be jailing half the teenage population in the state on any given day. It elects not to do so. Marcus Dixon has been convicted by a jury and sentenced to the maximum ten-year sentence. Race was not mentioned explicitly, of course, but is it really a total surprise to learn that Dixon is black and that his girlfriend is white?

A few weeks ago, my colleague Kim Crenshaw wrote a piece for this magazine about the blind eye that has been turned to Strom Thurmond's liaison with a young woman who was in all probability a minor at the time of his impregnating her. Marcus Dixon was not so indulged. I look forward to the day when single black females might be courted with candlelight dinners or could ride without fear in the proverbial pickup truck; and where single black males could play—and I do mean consensual play—with the same field of expectation as all the golden-haired retriever puppies. Ethnicity unimportant. ■

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ARTICLES

THE BATTLE OVER THE PLEDGE

by ELISABETH SIFTON

The loss of precision in spoken or written language is not, I suppose, the worst problem we face, compared with so many other distressing developments in our national life. But the consequences can include real political harm. Take, for example, a pesky case on which the Supreme Court will hear arguments on March 24: *Elk Grove Unified School District v. Michael A. Newdow*, which has generated a great deal of linguistic chaos.

In the summer of 2002 Michael Newdow, a *pro se* defendant with several bees in his bonnet about family law, religion and government, won a 2-to-1 victory in the Ninth Circuit Court of Appeals, where Judge Alfred Goodwin agreed with him that schoolroom recitation of the Pledge of Allegiance, with the 1954 addition of "under God" to its text, violates the establishment clause of the First Amendment. The Ninth Circuit then amended this decision; the school district appealed; the circuit court refused to rehear the case in a murky fluster of judicial action that showed its members at loggerheads with one another and with another Pledge ruling in the Eleventh Circuit; and judges delivered papers "concurring partly" and "dissenting partly" with their colleagues. The Rehnquist Supreme Court itself is partly to blame for the muddle, since it's been handing down divided, inconclusive decisions, in this as in other areas, for years.

I'm only an amateur of constitutional history and the Pledge controversy, but you don't have to be an expert to notice how language gets misused in *Newdow*. Lawyers, judges and commentators carry on, as they have for decades, without there being much agreement on the meaning of the words they contest or interpret—"Establishment," say, or "Pledge." "Prayer." "God." Or "under." Clouds of sanctimonious verbiage billow in the public space—from ardent atheists like the plaintiff and his supporters, and from hypocritical Christian Republicans who are eager to have this case heard at the highest level.

To cut through the semantic fog, we can start by asking, What is the Pledge of Allegiance and where did it come from? Grammar school is where you're supposed to learn not only how to write and speak (the grammar part) but also the words and texts of our shared civic life. No surprise, then, that it was a schoolteacher, Francis Bellamy, who in 1892 arranged to have children observe the 400th anniversary of Columbus's landing with a little ceremony that centered on a "pledge of allegiance" to the Stars and Stripes that he had written. (It nowhere mentioned God.) Bellamy, chairman of a committee of state superintendents of education, was able to insure that his mini-liturgy of American triumphalism was installed as a regular feature of public-school life.

A utopian socialist like his cousin the novelist Edward Bellamy, he composed the Pledge, he explained, in "an intensive communing with salient points of our national history, from the Declaration of Independence onwards; with the makings of the Constitution...with the meaning of the Civil War; with the aspiration of the people." He had wanted to segue from "one nation indivisible" ("we must specify that it is indivisible, as Webster and Lincoln used to repeat

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in their great speeches") to "the historic slogan of the French Revolution which meant so much to Jefferson and his friends, 'Liberty, equality, fraternity' "—but he realized one couldn't celebrate equality in American life: that "would be too fanciful, too many thousands of years off in realization." Regretfully, he omitted the middle term, though he thought the other two were safe and sound: "we as a nation do stand square on the doctrine of liberty and justice for all." (Did he think that justice insured "fraternity"?) Certainly his bighearted words express a more attractive national ideal than flags have sometimes inspired elsewhere.

Bellamy was well connected, and soon his Pledge of Allegiance was being recited by students all across the country. Over the years, as US soldiers followed the flag into foreign wars in Cuba, the Philippines and France, and as millions of Asians, Slavs, Italians, Greeks and Jews flooded into a once primarily Anglo-Saxon nation, militaristic flag fever grew, along with allegiance to the Pledge. By the mid-1920s, when nativist opposition to new immigrants prevailed in the National Origins Act, shutting the door to many nationalities and imposing strict quotas, a new Federal Flag Code explained how the flag was to be treated and the Pledge of Allegiance to it recited: the rules of a new secular religion.

Bellamy's Pledge offended various groups from the start: Jehovah's Witnesses and Mennonites, among others, objected, as any of us might, to the idolatrous worship of the symbols of state power, and believed, as any religious person might, that saluting the flag contradicted their declared fidelity to God alone, a spiritual commitment that the First Amendment's "free exercise" clause protects.

Yet, as Justice Felix Frankfurter noted—when the Supreme Court ruled in 1940 that requiring students to salute the flag and recite the Pledge was not unconstitutional—dozens of state legislatures thought the flag ceremony was a good way to instill national loyalty in a diverse school population, having them share "a common experience...designed to evoke in them appreciation of the nation's hopes and dreams, its sufferings and sacrifices.... The ultimate foundation of a free society is the binding tie of cohesive sentiment."

But Justice Frankfurter's 1940 *Gobitis* decision was soon reversed, when Justice Robert Jackson wrote a ferociously eloquent opinion for an 8-to-1 majority that struck down the statutes that, post-*Gobitis*, had enforced salutation of the flag and recitation of the Pledge. This 1943 *Barnette* opinion, with its robust warning against the authoritarian coercion of belief, still holds as constitutional doctrine:

> Compulsory unification of opinion achieves only the unanimity of the graveyard.... There is no mysticism in the American concept of the State or of the nature or origin of its authority. We set up government by consent of the governed, and the Bill of Rights denies those in power any legal opportunity to coerce that consent....
>
> If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be ortho-

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dox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein.

Jackson's magnificent, lucid words notwithstanding, Bellamy's Pledge continued to inspire secular sanctimony. And flag worship intensified in 1954, when the Knights of Columbus persuaded President Eisenhower to add the words "under God." Ike saw no harm in affirming that America, battling against godless Communism, was doing so "under God"—this enhanced his standing with patriotic voters. In an Ike-ish smudge of non-meaning, he added, "Our government makes no sense unless it is founded on a deeply felt religious belief—and I don't care what it is."

President Theodore Roosevelt had detested this kind of mush. When he authorized a new design for a $20 gold coin in 1907, he was relieved that no statute required the words "In God We Trust" to appear on them. To engrave the phrase on specie, this believing Christian said, "not only does no good but does positive harm," weakening the very spiritual commitment it was intended to promote. Congress, however, reflexively favoring banal religiosity, made the motto mandatory on coins, and positive harm ensued.

These weak proponents of 'In God We Trust' rhetoric do little to combat the reactionary arguments that distort our Founders' beliefs.

Newdow claims that the "under God" phrase in the 1954 Pledge violates the clause in the First Amendment reading "Congress shall make no law respecting an establishment of religion...." To "establish" a church is to make it a national or state church, but American law scarcely worries about that unlikelihood; rather, the courts repeatedly assess whether the government is favoring religion in publicly funded activities. (The basic worry is about favoring one church over another; secularists worry about favoring religion of any kind.) Does the 1954 Pledge do such a thing? The Elk Grove School District will have to argue that it does not "establish" religion.

Fundamentalist Protestants and conservative Catholics oppose Newdow because they want this godly Pledge affirmed as constitutional, but the truth is that they also believe it favors religion—and should. They are confident that America functions "under God," that the Founders believed this and that we should say so out loud. Take the Roman Catholic Justice Antonin Scalia. Blithely misinterpreting two centuries of post-Enlightenment political philosophy, he claims "that government—however you want to limit that concept—derives its moral authority from God," that this was "the consensus of Western thought until very recent times. Not just of Christian or religious thought, but of secular thought regarding the powers of the state. That consensus has been upset, I think, by the emergence of democracy." His bizarre argument appeals to "people of faith" not to resign themselves to this deplorable "tendency of democracy to obscure the divine authority behind government" but "to combat it as effectively as possible." Americans have already done this, he claims, "by preserving in our public life many visible reminders that—in the words of a Supreme Court opinion from the 1940s—'we are a religious people, whose institutions presuppose a Supreme Being.'" (It was Justice William Douglas in 1952, but never mind.) Look at "In God We Trust" on our coins and in our courtrooms, he says; "one nation, under God" in our Pledge of Allegiance, "the opening of sessions of our legislatures with a prayer."

True, the Founders believed that all humanity lived "under God," but, as Jackson knew and evidently Douglas did not, as people of faith know and evidently atheists do not, this abstract deism in no way resembles the belief that God created the United States and speaks through its institutions. As good eighteenth-century deists the Founders respected the concept of an Almighty Being under whose aegis and according to whose laws the world turns, but they risked their lives for the principle of government created not by divine powers but by ordinary people using their human intelligence and reason. The US Constitution and Bill of Rights, which never mention God, are the great and crowning glories of the secular Enlightenment.

All too many interpreters since 1954—deaf to these distinctions and trying to be broad-minded—have said, along with Eisenhower, that public mention of God, which is considered anodyne, should be permitted out of fidelity to our national origins. So fine a Justice as William Brennan argued nonsensically that "ceremonial deistic" language is constitutionally permissible because it has become essentially meaningless. These weak proponents of "In God We Trust" rhetoric, unwittingly enslaved to imprecision of meaning, do little to combat the blunt reactionary arguments that distort our Founders' beliefs.

There are other angles to worry about. Thanks to the *Barnette* decision, no child can be compelled to recite the Pledge, but Newdow says that merely hearing the word "God" in it makes an atheist feel excluded from the polity whose citizens "worship God." The Court must decide whether this aural experience is indeed coercive. Newdow's victimization thesis is popular: Think how much of our culture today attributes high moral value to claims of oppression, exclusion, exploitation. Yet contrary to what Newdow says, the Pledge of Allegiance doesn't begin to express the spiritual nature of most Americans' civic life.

The meaning of the word "God" is also up for grabs: Atheists flail about trying to define the abhorrent thing, while Judge Goodwin petulantly imagines it as a singular Judeo-Christian noun offensive to polytheists. His view seems more opinion than fact, as lawyers say, but he has supporters.

Secularists also argue that since prayer is banned in public schools and the Pledge has become a sort of prayer, it should be banned, too. Here again we're in the realm of non-meaning. To pledge is "to recognize the obligation of fidelity" to something, in this case "the Flag of the United States and the Republic for which it stands"—self-evidently a secular act. This is very different from making "an earnest and devout entreaty of a deity," effecting "a spiritual communion with God as in praise, thanksgiving, contrition or confession"—a religious act. The Pledge of Allegiance would be a prayer (or oath, as its atheist opponents and military supporters often describe it) only if the flag itself is worshiped as a symbol of transcendent authority. This may be happening, of course.

Meanwhile, millions of Americans who are religious but not fundamentalist (one reliable poll says roughly half of us), includ-

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ing Christians, Jews, Muslims and Buddhists, are just as edgy as atheists are about the God talk, and they deplore what we might call the Scalia-Falwell position. A Baptist minister in the South recently wrote, echoing TR, "Giving lip service to God does not advance faith, it cheapens it. It takes the language of faith and reduces it to mere political rhetoric. Language that has the power to heal and mend should never be treated so callously." The voices of millions of believers who dislike noisy declarations of faith in the public square and noisy ministers in the White House have not (yet) been heard. The middle ground, where many of us still dwell, as our deist Founders did, wishing to honor both the life of faith and the idea of a secular government, is treated as if it had disappeared.

Nor has anybody stepped back to ask, Do we really need this Pledge of Allegiance, and if so, why? Frankfurter and Jackson posed and answered this question—in wartime, too—and on March 24 the Justices will take it up again. In my opinion the Pledge deserves to be shorn of its quasi-sacrosanct status as well as of the "under God" phrase, but I may be a minority of one.

Fundamentalist Christians and their friends in Washington are keen to have *Newdow* heard precisely so they can discredit the secular presumptions they detest and affirm the kind of belief Scalia cherishes. One fears they may want to use the case as a lever to shift the balance; once the Supremes assure them that the Pledge with "under God" in it is constitutional, then local teachers and politicians sympathetic to them might try to amplify it into more openly Christian, even Jesus-specific, formulations. They have a President in the White House who listens to them, a Justice Department sympathetic to their aims, a Solicitor General who is close to some of their principal agents—in short, a perfect political situation in which to further their cause.

Secular liberals and church-state separatists gloomily anticipate that, yes, the Court will uphold the school district's appeal.

For the Bushies and the religious right, Newdow is a perfect opponent, and they're piling on. He's an atheist and proud of it; he didn't marry his daughter's mother and didn't have custodial rights when he started his litigation; moreover, the mother, Sandra Banning, is an evangelical Christian who says her daughter doesn't mind the Pledge. While Newdow's initial case was wending its way through courts in various jurisdictions, he created a legal tangle over parental rights; when the California school district where his daughter is a pupil appealed Judge Goodwin's ruling, it also challenged Newdow's standing to have a say in her education. The Supreme Court ordered briefs and argument on that issue, and asked Solicitor General Theodore Olson to file an amicus brief in the school district's case.

Thus far, Olson has argued that the "under God" phrase in the Pledge is an "official acknowledgment of our nation's religious heritage," analogous to "In God We Trust" on coins and bills. Here we go again: This is the "ceremonial deism" or "historically verified foundationalism" that Scalia approves of for his own dark reasons and that Brennan and Douglas accepted. Olson adds, in a sleazy bow to creationists, that the Pledge phrase can't be any more offensive to some pupils than teaching modern science is to others: "Public schools routinely instruct students about evolution, war and other matters with which some parents may disagree on religious, political or moral grounds."

Thank the lord, though (as we say), Justice Scalia is out of the picture. Speaking at a Religious Freedom Day rally organized by the Knights of Columbus in Fredericksburg, Virginia, a year ago, he derided the Ninth Circuit's *Newdow* decision as an example of constitutional misinterpretation. Justices aren't supposed to comment on cases that might come before them on which they haven't yet heard full briefs and arguments, so Newdow requested that he recuse himself, and Scalia agreed. We know about the cases from which he refuses to recuse himself; perhaps he has calculated that this one is safe without him.

Secular liberals and church-state separationists supporting Newdow gloomily anticipate that, yes, the Court will uphold the school district's appeal. Twenty groups, including People for the American Way, the ACLU, and Americans United for Separation of Church and State, have gamely filed amicus briefs for Newdow and will watch warily as this peculiar father argues his own case, but for them, it's a pain in the neck: They have gay marriages and abortion rights to worry about; even if a godly Pledge is entrenched in our schools as a patriotic litmus test, they think of this as fighting a major battle on a minor front.

For the fundamentalists and their friends in Washington, there are no minor fronts in this political war, and an election is looming. Amicus briefs supporting the school district have poured in from dozens of organizations, including the Senate and House of Representatives, and the governors' offices of California and Idaho. Republican politics have swirled around the case from the get-go. (In 2002, Republicans attacked Governor Gray Davis for not being vigilant enough about the *Newdow* "threat.") And here comes the American Legion, the Knights of Columbus and the Pacific Legal Foundation, a conservative outfit. Then there's the Christian Legal Society, a group of lawyers who want more Jesus in public debate, whose brief has been joined by the Center for Public Justice, a well-known right-wing group, and the Ethics and Religious Liberty Commission of the Southern Baptist Convention, proud of its inside dealings with the Bush White House. "You're not going to run into too many people who are smarter than Karl [Rove]," Richard Land, its president, has said. "Karl understands the importance of this segment of his coalition, and I think the President understands it." Looking out for the mother, Sandra Banning, is Kenneth Starr, Solicitor General Olson's pal and former law partner. Now, how did *that* come about?

The list goes on: the National Association of Evangelicals, another key group for Bush; Phyllis Schlafly—no party complete without her—of the Eagle Forum Education & Legal Defense Fund; and my favorite, the Rutherford Institute, "a tiny foundation on the far shores of the right wing that advocated a literal interpretation of biblical scripture as a replacement for civil law," as one chronicler described it. We last heard of the Rutherford Institute when it was supplying lawyers for Paula Jones in 1998—lawyers who benefited so nicely from their proximity to friends in Ken Starr's independent counsel office.

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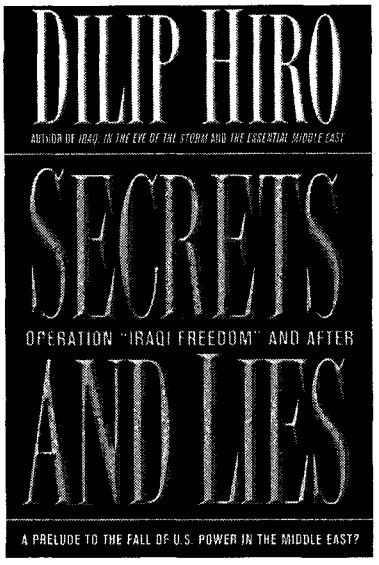
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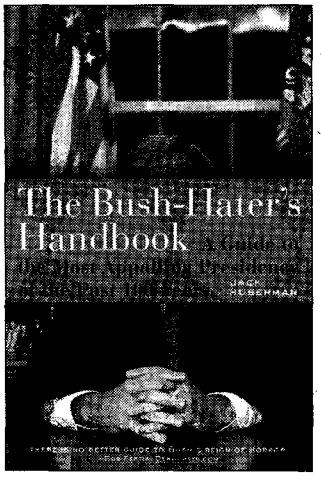

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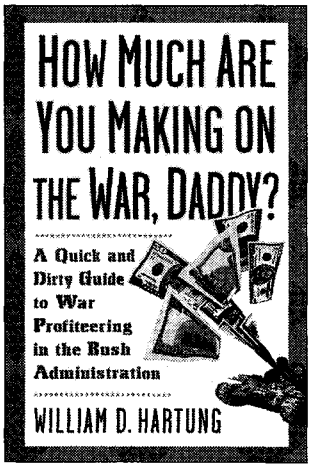
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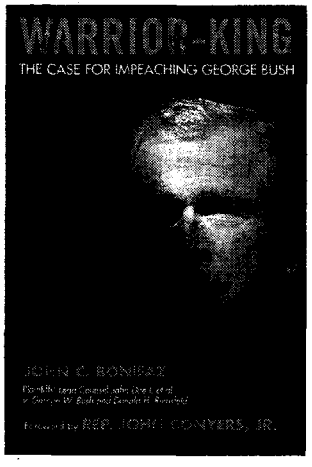

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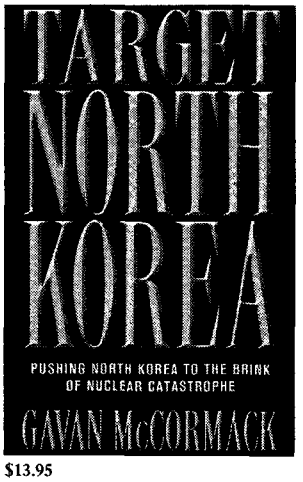

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Many of these same political activists turned up in November to celebrate President Bush's signing of the "partial birth" abortion ban. About this happy moment, Jerry Falwell, in a burst of characteristic hogwash, wrote:

> After having a wonderful time of fellowship with President Bush, the president asked if we could all join hands and pray that God will bless our efforts to preserve life in our land. What an astounding moment this was for me personally. Standing there in the Oval Office I felt suddenly humbled to be in the presence of a man—our president—who takes his faith very seriously and who seeks the prayers of his friends as he leads our nation. Following the prayer, I told President Bush the people in the room represent about 200,000 pastors and 80 million believers nationwide, who consider him not only to be our president but also a man of God. He humbly turned to me and replied, "I'll try to live up to it."

The bold calculation of electoral power, the canny conflation of a sectarian agenda with divisive presidential politics, the syrup of piety poured over both—this is Bush's America, a country where fundamentalism thrives in the chaos of non-meaning in secular public space. Richard Land has said, "We're in this for the long haul, and the people on the other side had best understand...we're winning." I'm not sure about that, but to prove him wrong we have to be sure we say what we mean, and mean what we say—on the campaign trail, in Congress and in our courts. ■

EXXON HAS USED THE LEGAL SYSTEM TO AVOID PAYING DAMAGES FOR THE VALDEZ SPILL.

Whatever It Takes

ASHLEY SHELBY

Shortly after the catastrophic 1989 Valdez oil spill in Prince William Sound, Exxon sent Don Cornett, the company's top official in Alaska at the time, to the fishing port of Cordova to reassure the fishers that the company would make things right. "You have my word," Cornett told them then. "I said it, Don Cornett. We will do whatever it takes to keep you whole. We do business straight."

CAITLIN DOVER

No one in Cordova's Masonic Lodge tonight, where attorney Brian O'Neill has called a town meeting, has forgotten that promise, and no one has failed to notice that things haven't exactly worked out that way. O'Neill, a lawyer with the Minneapolis firm Faegre & Benson and the head of the legal team on this case, has, for ten years, returned to Cordova regularly to update his clients on the progress of the civil case against Exxon.

At this meeting, a man walks in late. He pours himself a cup of coffee and stands back near the kitchen, listening to his neighbors talk about how they now consider their wives' health insurance plans dowries and how the new definition of a high-liner is a fisherman whose wife has a good job. He listens to as much as he seems able, then turns to O'Neill and says, "Where in the hell is my money? That's what I want to focus on. If any of us knew we'd be having this meeting fourteen years later, we'd have liquidated and moved out. Maybe we should have."

The man's name is Phil Lian, and in 1988 he was one of the most successful fishers and businessmen in Cordova, fishing the sound and selling supplies to Cordova's fleet. His business was growing at 80 percent a year, and grossing $2 million a year. But after the spill, no one needed supplies because no one was going fishing. Today, his empty fishing-supply superstore, across the road from the Cordova Fisherman's Memorial, is a symbol of loss and matters left unresolved.

"We're going to get the award," O'Neill says. "In regards to your anger—"

"I don't like to call it anger," Lian says sharply. "I like to call it frustration."

"Well hell, I'm angry!" O'Neill shouts.

The story of Cordova is not just a sad tale of a few bad fishing seasons. It is the story of how corporations can use the legal system and the seeming apathy of the federal government to avoid responsibility for their actions. It's been ten years since a federal jury awarded the fishers and Natives on the sound $5.2 billion in punitive damages from Exxon, but not a single check from that award has been cut. Instead, Exxon has been fighting the verdict, employing hundreds of lawyers, filing countless appeals and effectively buying science that supports its claims. And even when ordinary people think they've finally won—that the final appeal has been denied—they haven't. Perhaps they never will. Says O'Neill, "They see me as part of a system that's failed them."

On March 23, 1989, Captain Joseph Hazelwood stepped onto the oil tanker Exxon Valdez having consumed, according to him, three vodkas on the rocks at various bars in the port city of Valdez. Affidavits from bartenders in the port, however, claimed the captain drank the equivalent of five doubles, or, in the words of the Court of Appeals for the Ninth Circuit, enough to make most people unconscious. The 11-million-gallon spill that occurred while he was in command eventually spread down 1,200 miles of coastline. The environmental damage was catastrophic. Cleanup crews watched in horror as otters scratched out their own eyes to rid them of oil. Justice Department teams recovered the carcasses of more than 36,000 migratory birds and a thousand sea otters, and believe they represent only a fraction of the actual numbers.

Ashley Shelby's Red River Rising: Anatomy of a Flood and the Survival of an American City *will be published by Borealis Books in April.*

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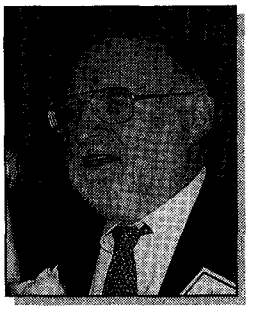

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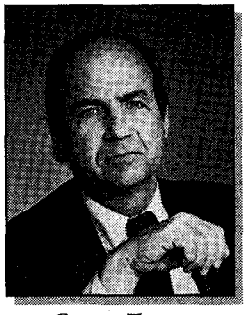

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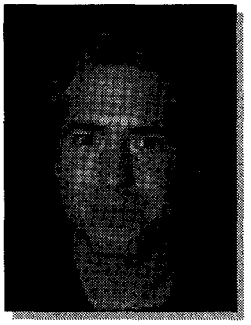

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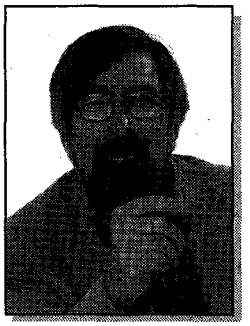

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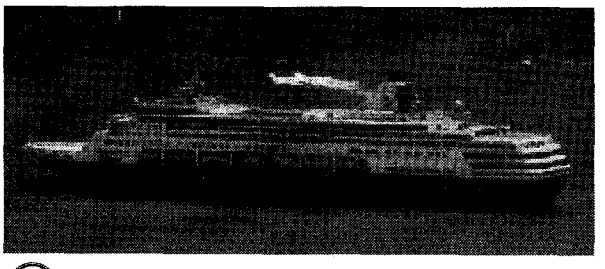
Dec. 9	Thu	Road Town, Tortola	7:00AM	4:00PM
Dec. 10	Fri	Day at Sea		
Dec. 11	Sat	Half Moon Cay, Bahamas	8:00AM	4:00PM
Dec. 12	Sun	Ft. Lauderdale, Florida	8:00AM	



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For a few months, the disaster was imprinted on the national consciousness. But as time passed, it was reduced to a few stubborn media images: an oiled otter, a tar-covered seagull, men in haz-mat suits spraying boulders with boiling water. An out-of-work commercial fisherman was never among the emblems. But the fishermen were long-term victims too. Cordova, once an exuberant fishing port of 2,600 where high-liners—a term reserved for the most successful commercial fishers—might bring in a couple of hundred thousand dollars or more a year, is depressed and Dickensian. Today, there isn't a single fisher in town who would be considered a high-liner by pre-spill standards; instead, former high-liners mend nets in cannery warehouses, and bartenders fill and refill beer glasses. If the herring fishery had been closed one or maybe even two seasons, fishers say, they might have been able to bounce back; but there hasn't been a herring season for more than ten years.

On the sound, a commercial fishing permit is like a home—it is a fisher's greatest investment, something that stays in the family, an asset that accrues value. In 1988 there were fishers in Cordova whose permits were worth nearly a million dollars. Today, their permits—fishers often call them their "nest eggs"—have depreciated in value by a staggering 90 percent.

One day during Brian O'Neill's visit to Cordova, Jack Babic takes the lawyer on a ride around the sound in the purse seiner he once used during herring season. Jack and his wife, Heidi, are two of O'Neill's 32,000 clients. Babic made out well after the spill; Exxon hired local fishers to help with the cleanup, and the company paid well. The Babics took the money they made and bought a boat they hoped to pass on to their children. Then the herring seasons were canceled and the salmon prices dried up, and suddenly the Babics had no viable fishery and had to start thinking about how to manage their finances until the Exxon payments came through. Those payments always seemed just around the corner, and people planned their lives around them.

"I was born in this," Jack says. "I never wanted to do anything else. I think of the last fourteen years as a lost opportunity. You can't quantify it in terms of dollars." O'Neill asks Jack if he's angry. Jack keeps his eyes on the horizon, one hand draped over the steering wheel.

"I'm still angry," he finally says, "but how long can you be angry? I see people in this community living their lives in anger, and I don't want to live my life that way." He adds, "It's not a guaranteed thing that we'll be compensated. You just try to pick up the pieces and move on. Isn't that what we have a responsibility to do?"

"Eighteen to twenty-four months, and the final and whole settlement will be distributed," O'Neill says. It's clear Jack is doubtful. Does he believe O'Neill?

"I believe he believes it. I believe that damn company will find a way to put the skids on it. I can't say I totally believe him," Jack says. Heidi smiles at O'Neill and adds, "But I'm glad you believe it."

Later in the day, O'Neill pulls up to an old warehouse on Cordova's Cannery Row. Upstairs, two redheaded brothers, Robbie and Mike Maxwell, are mending nets. As local kids, fishing was the only thing they'd ever wanted to do; when they got older, they raised families on the good money they made during the season.

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Nowadays they still fish, but they don't make a living out of it, so they repair nets during the off-season.

"Let me ask you a question," Mike says to O'Neill. "'Punitive' means to punish, right?"

"You're right."

"So how does $5 billion hurt Exxon?"

"Five billion is more punitive than nothing," O'Neill says.

But is it? The *Anchorage Daily News* reported that while awaiting a final judicial decision, Exxon has earned enough in interest alone to pay the initial $5 billion award. "Each year Exxon delays payment of its obligation," the National Association of Attorneys General wrote in a 1999 letter to Exxon CEO Lee Raymond, "it earns an estimated $400 million from the difference between the statutory interest rate on judgments of 6 percent and the company's internal rate of return of about 14 percent."

When Exxon and Mobil presented a merger proposal to the Federal Trade Commission in 1999, many saw an opportunity for the federal government to put pressure on Exxon to pay the punitive fine. Yet few in Washington—and no one from Alaska's Congressional delegation—even tried. One legislator who did, Senator Slade Gorton, a Republican from Washington State, said in 1999, "We have an opportunity to make an indelible impression on what would be the largest corporation on Earth—that an oil spill like this must never happen again." The FTC approved the Exxon/Mobil merger in November of 1999.

"Who's being punished here?" Mike Maxwell asks O'Neill. "We are. Looking into the future, is my son going into fishing? Absolutely not."

"The best I can do," O'Neill says, "is to get the $5 billion. I can't put the sound back together."

"I would just love to collect the Exxon oil that is on our beaches," Mike says, "and dump those gallons of oil on the front yard of its corporate headquarters. It's been in my front yard for fourteen years."

Dr. Steven Picou, a professor of sociology from the University of South Alabama, has spent the past fifteen years studying the effect the Exxon spill has had on the towns of the sound, specifically Cordova. Over the years, his focus has slowly shifted from the effects of the environmental devastation on the fishermen to the sociological and psychological damage inflicted by the legal battle.

Picou's findings in Cordova were damning: A third of fishers were clinically depressed; approximately 37 percent exhibited symptoms of post-traumatic stress disorder. Sixty percent of Cordova commercial fishers have had to take second jobs to make ends meet. Toxins, Picou was finding, had contaminated more than just the water; they had contaminated the town of Cordova.

"I think the vast majority of people in Cordova believed the reps from Exxon," Picou said. "But once the issue was transformed from how-to-get-out-of-the-media-limelight to how-to-get-in-a-position-to-protect-our-profit-margin-and-stock-value, then it changed overnight. They zipped up their purse strings, got out of town, and said, You'll find us in the courtroom."

In a keynote address presented at the Earth Charter Summit in 2002, Picou outlined what he considered Exxon's legal strategy for avoiding payment of the punitive-damage decision. "Hire the best attorneys money can buy, and aggressively attack plaintiffs in every manner possible, while also delaying court proceedings

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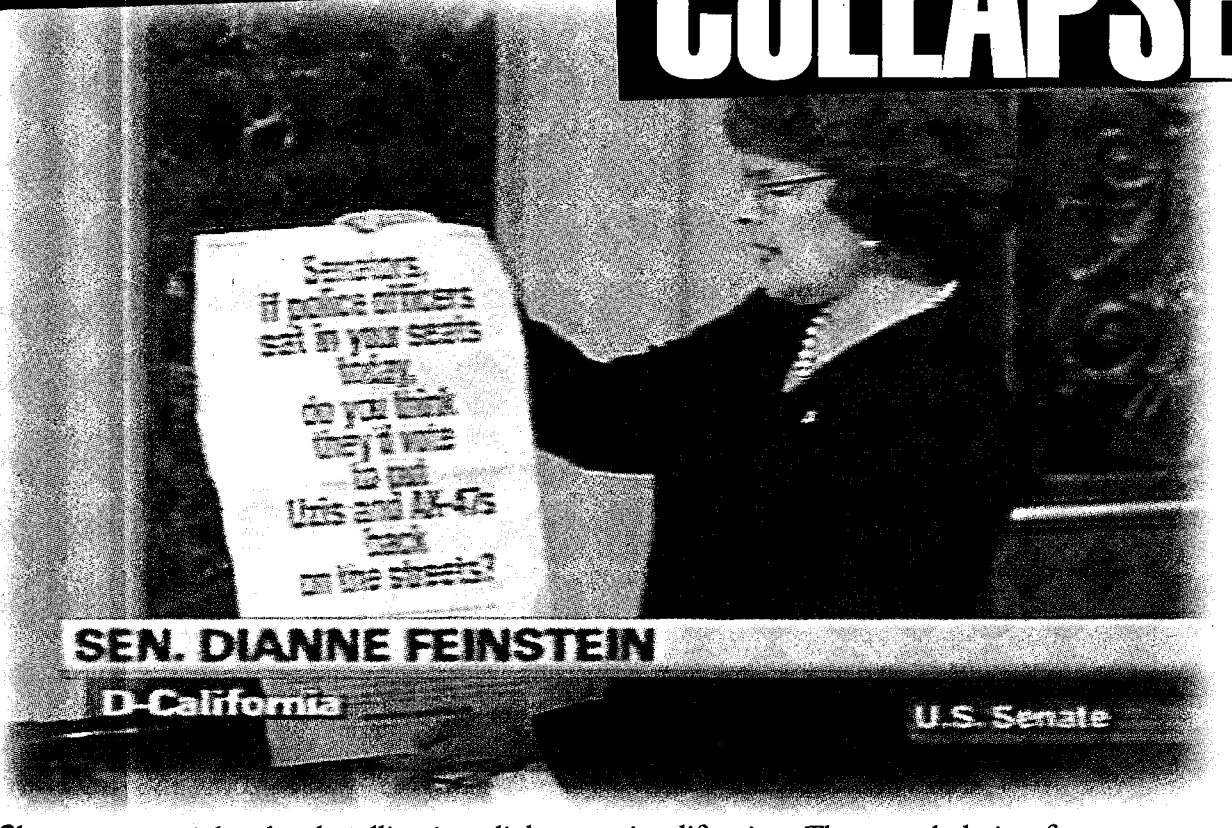
U.S. SENATOR AVENGING ANGELS AD; OPPOSITION COLLAPSES



Okay, you are right, that headline is a slight oversimplification. The actual chain of events was:

1. The National Rifle Association is widely regarded as the most potent, most vindictive special interest group in Washington. With their faithful servants firmly in control of the White House and both Houses of Congress, the NRA launched an all-out assault on law enforcement which we'll call the "No Thug Left Unarmed" Act of 2003 (NTLU).

2. The sheer insanity of NTLU (killing off the 1994 assault weapons ban, granting legal immunity to reckless gun dealers, etc., etc.) caused our sane and courageous client to create StopTheNRA.com, a web-activist group allied with the Brady Campaign to Prevent Gun Violence. Avenging Angels Inc. was chosen to do their advertising. We created and ran 7 passionate, fact-rich ads in the *New York Times* and *Washington Post.*

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HOLDS UP

3. When finally push came to shove, it was StopTheNRA.com doing the pushing and the NRA getting shoved! On the fateful morning depicted at left, Senator Feinstein and 51 other Senators beat the NRA on 2 out of 3 votes. The NRA then pulled the plug on the whole legislative package.

4. What is Avenging Angels? We are an advertising agency launched right here in the pages of *The Nation* 3 years ago under the banner "It is time for the better angels of our nature to start kicking ass." We practice Industrial Strength Liberalism.

5. If you too are anxious to be, for a change, the pusher and not the pushee, call Gene Case at (212) 243-3501, or send an e-mail to gene@avengingangelsinc.com. We would love to talk to you.

Have you been blacklisted by the NRA?
The National Rifle Association has targeted hundreds of national organizations, prominent artists, journalists and community leaders on a 19-page blacklist.
When you see who's on it, you're going to want to be there with them.
All of these people, says the NRA, have lent their "names and notoriety" to the "anti-gun" cause.
Sure enough, there's the
"Our members don't want to buy their songs, don't want to go to t and don't want their careers." --National Rifle President Wayne
The NRA wan immunity for reck dealers like Bull's Shooter Supply, w
HATE HAS FOUND A HOME IN THE NATIONAL RIFLE ASSOCIATION.
U.S. Senators who are tempted to sign on to the extremist agenda of the National Rifle Association should take a cold, hard look at the venom spewed forth by the NRA leadership.
"...the consensus is that no more than five to ten people in a hundred who die by gunfire in Los Angeles are any loss to society...It would seem a valid social service to keep them well-supplied with ammunition."
"The preponderance of South Africa is a different breed of man...They still put bones in their noses, they still walk around naked, they wipe their butts with their hands...You give 'em toothpaste, they [redacted] eat it."
—Ted Nugent, 7/90, NRA Board of Directors, 1995 to present.
"One amendment today said we could not sell guns to anybody under drug treatment. So, does that mean if you go into a black community, you cannot sell a gun to any black person...?"—Rep. Barbara Cubin (R-WY), NRA Board of Directors, 4/03
"In fact, studies of homicide victims—especially the increasing number of younger ones—suggest they are frequently criminals themselves and/or drug addicts or users. It is quite possible that their deaths, in terms of economic consequences to society, are net gains."
network of extremist social guerrillas... together they form a sort of Taliban, an intolerant coalition of fanatics that shelter the anti-freedom alliance so it can thrive and grow."
President Bush, Vice President Cheney, Dr. Frist and the U.S. Senate: Whose side are you on? Will you support an organization that greets with approving silence these ugly, vicious statements from its own leaders and blacklists hundreds of distinguished Americans from Oprah Winfrey to Bruce Springsteen to Walter Cronkite?
The NRA is now bullying the U.S. Senate to give sweeping legal immunity to reckless gun dealers like Bull's Eye Shooter Supply, the gun shop that "lost" the assault rifle used by the DC snipers to kill 12 innocent people. Stand up against the hate-filled rhetoric of the NRA. Stand up for the victims of gun violence–80 Americans killed every day. Please go to our website and help us stop this dangerous bill.
STOPTHENRA.COM
12 SLUGS IN A COP'S BODY. AS FAST AS YOU CAN SAY "NATIONAL RIFLE ASSOCIATION."
POLICE OFFICERS ON YOUR STREETS WILL SOON BE OUTGUNNED BY FAST, EFFICIENT COP-KILLING MACHINES THAT HAVE BEEN BANNED FOR A DECADE, IF THE NATIONAL RIFLE ASSOCIATION GETS ITS WAY.
Can you believe this? The NRA wants military-style rapid-fire assault rifles—weapons of choice of violent gangs and drug traffickers—made legal again. And the Republican Congress is going along.
They've taken dead aim on the 1994 federal assault weapons ban. They want to wipe it from the books.
The deadly weapons used in the Stockton schoolyard massacre, the Columbine killings and the D.C. sniper murders—TZUIs, AK-47s and dozens more, loaded with vicious features like 50-round ammunition clips, pistol grips for rapid hip-firing, silencers and even grenade launchers—will all be legal if the NRA gets its way.
Haven't our police officers sacrificed enough?
Every major law enforcement agency in America—from chiefs of police to sheriffs to rank-and-file cops on the beat—fought hard to get the 1994 assault weapons ban passed.
And polls show nearly 7 out of 10 Americans want to keep the ban in place. But the NRA doesn't care what the public or police think—only about achieving its extremist goals.
A special interest out of control
From the day George W. Bush took power, the NRA has bragged about having its own office in the White House.
No wonder so many of us fear our country has veered off course! Under Bush the NRA acts like a 4th branch of government. Spending more than $50 million on political campaigns during the last two elections, the NRA bullies Congress to do its bidding again and again. But this time it's gone too far.
We can rein in the zealots at the NRA.
The NRA has flat-out lost touch with the American people. You know and every law enforcement officer in America knows the 1994 assault weapons ban saved lives. It must be renewed and strengthened.
Go to our website: STOPTHENRA.com
Go to our website now or clip this coupon. Sign our petition and give what you can to help us reach or exceed our goal: 10,000 signatures and $1 million to keep the heat on Congress and beat back this latest attack by the NRA.
Yes, I want to help stop the NRA from legalizing these killing machines!
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by any legal means necessary for as long as possible, no matter how frivolous the challenge. Hire your own scientists to evaluate ecological damages and pervert the process of science by hiding behind any degree of uncertainty that may and will always characterize independent scientific damage assessments." In other words, Picou believes that litigation in the cases of big business versus communities devastated by "collateral damage" provide those corporations with a kind of insurance policy against future disasters, a policy underwritten by the US court system.

The Exxon civil case began in 1990, when hundreds of fishers and natives filed lawsuits against the company. That same year, Exxon attorneys filed motions to dismiss the charges in the federal government's five-count criminal indictment resulting from the spill. Perhaps the most memorable brief from this first round was the one in which Exxon claimed that crude oil was not a pollutant under the federal Clean Water Act, which it had violated. "The crude oil on board the Exxon Valdez was not a waste," Exxon Shipping attorney Edward Bruce said. "It was a commodity."

'These fines send the wrong message, and suggest that spills are a cost of business that can be absorbed.' —Judge Russel Holland

In October of 1991, the State of Alaska, the US Justice Department and Exxon brokered a deal that would allow Exxon to plead guilty to four misdemeanor environmental crimes, put $100 million on the table for criminal penalties and pay $900 million in civil damages. By this time, Exxon had already spent nearly $2 billion in its cleanup efforts. However, environmentalists condemned the deal, complaining that the Justice Department had backpedaled from its earlier censures of Exxon; the criminal case had been initiated by then US Attorney General Dick Thornburgh, who indicted Exxon and promised that the federal government was "throwing the environmental book" at the company. Thornburgh initially promised to seek more than six times the amount he settled for from Exxon. On April 24, 1991, Federal Judge Russel Holland rejected the deal. "These fines send the wrong message, and suggest that spills are a cost of business that can be absorbed," he said.

In May of 1994, the Exxon trial began in the federal courthouse in Anchorage. The case was conducted in three exhausting phases. Phases one and two dealt with questions of recklessness (a finding of recklessness against Exxon was necessary for recovering punitive damages) and actual damages caused by the spill. Phase three determined whether punitive damages would be awarded, and if so, how much. Exxon's lawyers pointed to the cleanup of the sound's beaches, which pumped huge amounts of money into the local economy. Did the jury want to punish a corporation that accepted responsibility for its mistakes? Would that not set a dangerous precedent?

"Accept responsibility?" O'Neill asked in his closing arguments. "They didn't have any choice but to accept responsibility. It's on a reef, the state authorities are coming out; what are you going to do, paint the smokestack and put Sea River on it? Exxon has no place to hide."

On September 16, 1994, a federal jury ordered Exxon to pay $5.2 billion in punitive damages to Alaska natives, property owners and commercial fishermen on the sound. Immediately, Exxon filed more than two dozen post-trial motions, which would take more than a year to resolve. In the meantime, the pollution of a world-class salmon fishery had affected the market, diminishing demand for the sound's catch at a crucial time, when there was already a glut of pink salmon. Salmon farms in Chile and Norway had begun taking up a larger share of the market, squeezing fishers of Prince William Sound out of the game. As O'Neill tells it, "These guys just lost shelf space permanently."

In 1998, four years after the initial verdict, the fully briefed Exxon appeals finally went to the Ninth Circuit Court—and sat there. The next year, 1999, *60 Minutes* broadcast a segment on the ten-year anniversary of the spill; it focused, in part, on the Ninth's inaction. The day after the segment aired, the court scheduled arguments. But the briefed case sat in the Court of Appeals through 2000. Then, in November 2001, the Ninth Circuit overturned the $5.2 billion award against Exxon, calling it excessive, and sent it back to Judge Holland's district court so it could set a lower amount.

By this time, a thousand or so claimants in the case had died. The mayor of Cordova had committed suicide—his ashes were scattered over Bligh Reef. The debt load in Cordova was, according to some people in town, about to exceed the award. In December of 2002, Judge Holland reduced the award by nearly a billion dollars. Exxon appealed.

After fifteen years of bad press, it's not surprising that Exxon's chief spokesman, Tom Cirigliano, doesn't want to talk about Cordova anymore. Since 1989, Exxon has spent more than $2 billion attempting to clean up the sound. The company also paid about $300 million to more than 32,000 fishers on the sound for losses suffered in 1989, when the entire fishing season had to be canceled. Divided equally (and the payments were not equal), that is roughly $9,500 a person. Fishers in Cordova could often bring home $100,000 a season.

"I don't want to waste any more time talking about it with you," Cirigliano said when I asked him to react to claims of the company's foot-dragging. "When they say we're dragging our feet, they've appealed a number of issues with regard to this and dragged their feet when it was to their advantage considerably. And as far as Brian O'Neill, we don't want to give an opinion on him. He's talking out of both sides of his mouth."

Much of Exxon's PR energies are directed toward refuting claims made by government scientists like Jeff Short. Short, a federal chemist from Auke Bay Labs in Juneau, has been studying the environmental effects of the spill for years, and in January of 2002 he reported that there was still Exxon oil in the sound. Short's research found more than 200 times more oil than Exxon had claimed; on the beaches hardest hit by the spill, he reported that the chances of finding oil on those same beaches twelve years later was better than 1 in 2.

The National Marine Fisheries Service Lab in Juneau found that weathered oil was affecting young salmon and herring; among the results of one investigation were eggs that died before hatching, grossly deformed spines and jaws in those that managed to hatch and a considerable decrease in returns of salmon from the

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sea. However, Short was careful to be fair. He has always maintained that Exxon's claims that natural variability is the reason for the fluctuating salmon and herring catch levels could turn out to be true.

Exxon struck back with David Page. A professor of chemistry and biochemistry at Bowdoin College in Maine, Page called Short's study bad science even before reviewing all of Short's research. "Prince William Sound today is as healthy as it would have been if the spill hadn't happened," he wrote in the *Anchorage Daily News*. If this claim sounds unusual, it helps to know that Page is on ExxonMobil's payroll; his research is underwritten by the company. (Although Tom Cirigliano encouraged me to contact Page regarding the state of the sound, Page did not respond to my requests for an interview.)

As a result of Page's charges, the sponsor of Short's research, the Exxon Valdez Oil Spill Trustee Council, commissioned a review of Short's methods by a National Marine Fisheries Service panel that was independent of Auke Bay Labs. The panel found that if there was any bias in Short's sampling, it was that he left out sites that were more likely to show oil. Short's estimate of the amount of oil remaining in the sound was likely conservative.

On a beach on Eleanor Island in Northwest Bay, Short turns over a few barnacle-covered rocks with the edge of a garden spade. Once he reaches sand, he plunges the spade in and removes a handful. He removes one more shovelful, and viscous oil slowly begins to fill the new pit. The fishy smell of the bay is instantly replaced by the toxic smell of petroleum. Short, unsurprised but not complacent, shakes his head. "It's really an insidious poison. The fact that we can find this much oil fourteen years later—and oil in this toxic condition—means the oil did a lot more damage than we think."

In fact, the journal *Science* published a study in late December 2003 that found residual oil harmed pink salmon eggs for at least four years following the spill, and that significant amounts of crude remains on the sea bed, where it poisons mussels and clams—and by extension the animals that feed on these creatures, like otters and ducks. And, like Short, the study's researchers easily found pockets of oil on the beaches.

The last visit Brian O'Neill makes on this trip to Cordova is to Virgil Carroll. Like most of the commercial fishers in Cordova who bought their permits before the spill, Carroll spent hundreds of thousands of dollars on his. Now he'll be lucky if he gets $60,000 for it. O'Neill tells Carroll that although he believes the Exxon payments are forthcoming, many claimants have died while waiting for them.

"Three of 'em in my family," Carroll says. His sons grew up fishing with their father, and were fishers themselves before the spill. Now the youngest has put his boat up for sale and moved to Anchorage, while the oldest, "never anything but a fisherman," went back to school to become a teacher in Valdez, so he can fish during the summer and still be able to buy groceries.

"What if you get money from the settlement?" O'Neill asks Carroll.

"Young guys can start fishing; for me, I could help my boys," says Carroll. "But it won't bring the fish back."

At the end of January, Judge Holland increased the punitive damage award against Exxon from $4.2 billion to $4.5 billion, plus the $2 billion of interest that has accrued on the award since 1994. O'Neill expects Exxon will appeal. ■

LETTERS
CONTINUED

(Continued From Page 2)
know he may come home in a box, or maimed for life, or psychologically damaged beyond comprehension.

You cannot imagine the anger we feel as we watch the laughing, tittering talking heads on corporate TV run puff pieces as news and ignore the horrors of wondering where a child is in Iraq: Will he come home? Is he OK? What's it like for him to endure 120-degree heat? Is he afraid? Will someone be with him if he dies or is wounded? Will someone hold his hand and tell him we love him?

That child is ours. He does not belong to the neocons. They don't care who these kids are. They demand warm bodies to send into this black hole they created. I will spend every breath of my life working to get that lowlife fratboy dragged out of the White House in chains. This is too much to bear. MARJANNE BROWN

CHOICE: TONE IT DOWN

Cambridge, Mass.

■ Jennifer Baumgardner's "We're Not Sorry, Charlie" [Feb. 2] is leading the pro-choice movement in the wrong direction. If we are going to keep abortions safe and legal, we have to appeal to the voters in the middle.

Choice is not like the civil rights movement. There is no equivalent of "I'm black and I'm proud," no place for in-your-face T-shirts saying "I had an Abortion." There is no high ground to take; we just want to keep the government out of our bedrooms and our medical decisions. Pro-choice has to find common ground to appeal to the people in the center. That should start with the goal of fewer abortions. How to *avoid* a pregnancy should be the top priority of the pro-choice education package, which should give young people an escalating list of choices—no sex, sex using condoms, sex using birth control like the Pill, the morning-after pill, RU-486 and, last, a surgical procedure.

When people stop arguing and sit down to compromise, they usually find that they agree on more points than they disagree on. Anyone who supports the right to choice in cases of rape, incest or when the woman's health is in danger should be on our side. Terminating a pregnancy is a difficult, emotional experience for many. Women who are facing abortion should have access to support groups of others who have been through it. There is no shame in having an abortion, but you're not going to keep the majority support for *Roe v. Wade* with "I had an abortion" T-shirts or a celebratory "I'm Not Sorry Day." HARRY IRWIN

BAUMGARDNER REPLIES

New York City

■ I don't know how to respond to a person who argues that there is no shame in having an abortion and yet advocates no space to openly say one has had one without the caveat "of course, it was a terrible choice to *have* to make!" The hundreds of women who have reached out to me with their stories since my piece was published lead me to believe that women—at least some women—crave a space where they can be open about their procedures. The campaign isn't calling for people to have unambiguously triumphant responses to their abortions, as I clearly stated. It is to encourage them to tell the truth about their abortions—good, bad and everything in between. The political point is to make visible the millions of women who have had abortions and thus the need for safe and legal procedures. As for the advice about where the movement needs to go, pro-choice activism has *always* been concerned with reducing the need for abortions. JENNIFER BAUMGARDNER

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(Continued From Page 8)
criticizes this as both "unproven and absurd, since wind would be a much cheaper means of producing hydrogen." Steven Kerekes of the Nuclear Energy Institute, the industry's trade association, denies that the project is an industry subsidy, since the reactor will be owned by the Energy Department. Kerekes further argues that his industry is now simply making up for having received less federal support than renewable energy did under Clinton—a debatable claim that ignores how nuclear subsidies over the past fifty years have dwarfed those for renewable energy.

So, twenty-five years after Three Mile Island, nuclear power is still not dead in the United States. As the industry pushes for a revival, it has two advantages: US electricity demand is growing steadily as the Internet revolution advances; and, although most environmentalists won't admit it, the industry has a point about the deadly effects of today's dominant source of electricity production, coal. Coal smoke has killed millions of people over the past three centuries, including today, while its carbon content has pushed the climate toward a potentially catastrophic instability. Nuclear power may kill millions of people someday, but it hasn't yet, and the longer the industry goes without another major accident, the more attractive nuclear will look—assuming, of course, that its costs are reduced. Better than either coal or nuclear would be a wholesale shift to a less centralized energy system based on solar and other renewables, using improved energy efficiency as the bridge to get there. But all these are political choices. The nuclear option will stay alive as long as the government keeps subsidizing it, and that seems likely as long as George W. Bush is President. MARK HERTSGAARD

Mark Hertsgaard, The Nation*'s environment correspondent, is the author of* Nuclear Inc.: The Men and Money Behind Nuclear Energy *(Pantheon) and, most recently,* The Eagle's Shadow: Why America Fascinates and Infuriates the World *(Farrar, Straus & Giroux).*

New School, Old Tricks

The New School University is one of Manhattan's most storied progressive institutions. But don't tell that to the people who work there. On March 11 several dozen students, labor organizers and faculty members gathered for a demonstration outside the Sheraton Hotel on 53rd Street, site of the annual La Guardia Award Dinner, a fundraising event hosted by the New School. Inside, New School president Bob Kerrey, the former Democratic senator from Nebraska, hobnobbed with the likes of Paul Critchlow (vice chairman, Merrill Lynch) and George Mitchell, the newly appointed chairman of the board of Disney and recipient of the La Guardia Award. Outside, demonstrators handed out fliers calling on the New School to "Quit Mickey Mousing Around" and recognize the right of adjunct faculty members to form a union.

It's a right you would think the New School would happily recognize, given that it was founded in 1919 by John Dewey, Charles Beard and other progressive thinkers and in the 1930s formed a "University in Exile" to offer refuge to scholars fleeing fascist Europe. Yet for the past year, the New School has persistently sought to undermine an organizing drive launched by its part-time instructors, who earn on average $2,700 per course, without benefits. Like their counterparts on an increasing number of campuses, they have begun to see themselves as part of America's growing army of exploited temp workers and to view unions as a potential lever of change.

On March 5 the university went so far as to appeal the results of an election in which a majority of adjuncts voted to join the United Auto Workers (which represents faculty at NYU and several other universities). "The election...resulted in voter turnout so low as to make the 'results' impossible to treat as the authentic voice of the faculty," explained Provost Arjun Appadurai. This was a curious statement, since voter turnout is not grounds for challenging the legitimacy of a union election—as the New School itself acknowledged before the vote. "Can NSU challenge an election if the number of actual voters is too small?" a list of Frequently Asked Questions on the university's website inquired. "No," the website flatly answered. Moreover, as the UAW points out, 1,043 of 1,602 eligible faculty voted, a proportion significantly higher (65 percent) than the 48 percent who voted in the 1994 contest that sent Bob Kerrey to the US Senate.

The administration argues that the election was poorly timed, taking place shortly after winter break. But to the extent that this is true, it is the university's own fault: New School part-timers filed a request for a union election in March 2003. The university then delayed the process with a series of appeals. While the New School has raised many technical concerns about the unionization process, it has studiously avoided addressing the real issue: that it is an institution facing financial constraints and seeking to maximize its budget flexibility—and it does not want to be tethered to a union contract with its adjuncts.

As AFL-CIO president John Sweeney noted in a letter to Kerrey, corporations routinely engage in tactics such as repeated appeals in order to drain momentum from organizing drives. It's for this reason that the AFL-CIO has been promoting the Employee Free Choice Act, legislation that would automatically certify unions as collective-bargaining agents once a majority of workers sign written authorization forms (this "card check" process would eliminate delays).

Adolph Reed, a political scientist at the New School, notes that despite its unique history, the university's actions should not be viewed in isolation. "President Kerrey's response to this campaign has been more worthy of the CEO of Wal-Mart than the president of a university, but it fits into a broader tapestry—the casualization of the academic labor force, the increasing prominence of corporate values in university governance." Outside the Sheraton, the demonstrators seemed to understand this. Part-time faculty who are organizing at other schools, including Pace University, were on hand. So were New School students, who earlier presented Kerrey with 1,000 signatures from classmates who support the faculty's right to organize. The students' motto—"their teaching conditions are our learning conditions"—would have made the New School's founders proud. EYAL PRESS

Eyal Press is a Nation *contributing writer.*

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BOOKS & THE ARTS

Accidental Friends

RUSSELL JACOBY

CAMUS AND SARTRE: The Story of a Friendship and the Quarrel That Ended It. By Ronald Aronson. Chicago. 291 pp. $32.50.

SARTRE AND CAMUS: A Historic Confrontation. Edited and translated by David A. Sprintzen and Adrian van den Hoven. Humanity. 299 pp. $45.

"One does not jail Voltaire." So responded the president of France to calls that Jean-Paul Sartre be arrested for backing an independent Algeria. The year was 1960, and Sartre was traveling the world as a radical ambassador, the guest of Castro, Tito and Khrushchev. He spearheaded a politics that denounced colonialism and imperialism. He would soon write what may be his most famous short piece, the preface to Frantz Fanon's *The Wretched of the Earth*, in which he lyrically defends the violence of Algerian rebels against French settlers. In 1960 Sartre seemed to be everywhere. In that year too, Albert Camus died, when the sports car driven by his publisher, Michel Gallimard, slammed into a tree. Camus was 46, Sartre 55.

In death and life Sartre and Camus seem inextricably linked. Their first important works breathed of existential philosophy and the "absurdity" of life. Both Sartre's 1938 novel *Nausea* and Camus's 1942 *The Stranger* expressed a spirit of unease and meaninglessness. Yet their authors were political animals, as much by instinct as circumstance. The onset of World War II and the Nazi occupation of France gave a hard edge to their existentialism. It also brought them together. They had reviewed each other's books, but first met in 1943 at the Paris opening of Sartre's allegorical play denouncing Nazi collaboration, *The Flies*. By that time Sartre was already working on *No Exit*, and Camus, who loved the theater, accepted Sartre's suggestion that he stage it. Nothing came of this plan, but for some years the paths of Sartre and Camus would cross and crisscross.

Russell Jacoby, who teaches history at UCLA, is the author of, among other books, The End of Utopia *and* The Last Intellectuals *(both Basic). His* Reviling Utopia, Revising Utopia *is forthcoming from Columbia.*

Each became an editor of a left-wing periodical that emerged from the Resistance. Sartre asked Camus to join his editorial staff; Camus gave Sartre newspaper assignments. At the end of the war, they loomed as the new French intellectual stars. Even the American press took note. In 1946 *Vogue* ran "Portraits of Paris" that featured dark and moody photographs of Sartre and Camus. A year earlier, the magazine had described Sartre "like the men on the barricades in pictures of the Paris Insurrection. Just forty, he is small, intent...[with] his worn trench coat, his pipe, his heavy-rimmed glasses...indeed, a man of the Resistance."

The onset of World War II brought Camus and Sartre together. By 1952 they had broken from each other. What happened?

By 1952 they had broken with each other and never spoke again. What happened? To be sure, to pursue this question requires taking French intellectuals as seriously as they take themselves. This is not always easy. Perhaps only in France could a dispute between two intellectuals generate so much print. It began with a critical twenty-one-page review of Camus's *The Rebel* in Sartre's journal, *Les Temps modernes*. Camus's reply took up seventeen pages. Two rejoinders to Camus clocked in at twenty and thirty pages, and that issue sold out twice. The daily and weekly press covered the row as big news. "The Sartre-Camus break is consummat-

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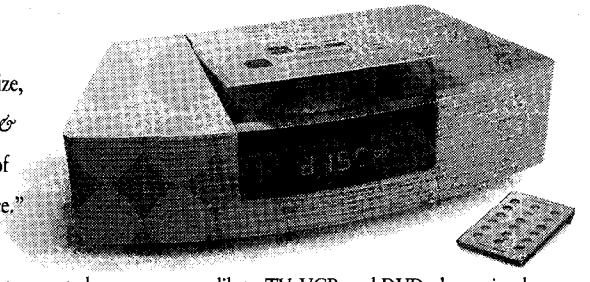

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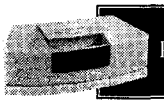

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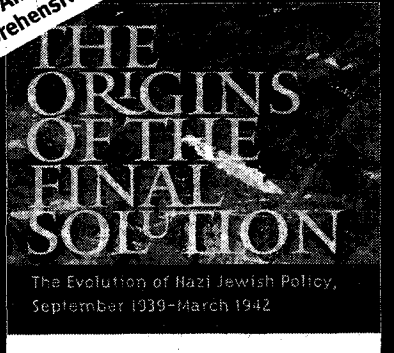

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ed," announced a typical headline. Does it matter?

Yes, according to Ronald Aronson, who gives us the first full-scale inquiry into the Sartre-Camus fallout. Aronson, who has written books on Sartre and Marxism, argues that only now, with the end of the cold war, can we assess the issues that drove Sartre and Camus apart. More to the point, he believes that both of them have something to offer leftist thought and practice; that Sartre's rigid radicalism and Camus's rigid anti-Communism divided the world into a fallacious either/or that we must now overcome. To reconsider their dispute, then, is to reconsider contemporary radicalism. He may be right.

Aronson may be wrong, however, in framing the break as a great friendship that went awry. Perhaps it was the coming together of Sartre and Camus that was the accident, not their falling out. Much separated them. Camus came from a poor French family in Algeria and attended local schools. Sartre came from the old French bourgeoisie and attended the elite École Normale Supérieure. Camus sometimes seemed conceptually uncertain and felt more at home in fiction than Sartre, who confidently scaled the philosophical heights. In 1943 Sartre published a tome that tackled nothing less than *Being and Nothingness*.

Even at their closest, they may have been on divergent political paths—Camus easing away from orthodox political radicalism and Sartre moving toward it. Camus preceded Sartre into active politics of the Communist Party and the Resistance. Only several years after they met, however, Camus was challenging conventional leftist assumptions about revolutionary violence—ideas that found expression in his 1951 *The Rebel*. At the same time, Sartre, moving in the opposite direction, was embracing the French Communist Party—ideas that found expression in his 1952 *The Communists and Peace*. Sartre's slashing putdown of Camus's angry response to the unflattering review of *The Rebel* sealed the break, but hardly initiated it. The elite graduate upbraided the scholarship boy: "I have at least this in common with Hegel: you have not read either of us."

However, even if preordained, the Sartre-Camus standoff well deserves attention, and Aronson has given us a thoughtful and engaging account of its vagaries. Inasmuch as he elsewhere identifies himself as a "Sartrean," Aronson knows he has a difficult task. The tide of historical judgment has emphatically been running against Sartre.

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From almost every point of view Camus shows up as more attractive—even physically, of which the wall-eyed Sartre was well aware. Sartre and Simone de Beauvoir often appear as intellectual bullies; they sought and found minions. The office of Sartre's journal was known as the temple. Slow to become political, Sartre compensated by becoming an extremist and changing positions regularly; he disdained the Communist Party; he celebrated it; he left it behind; he became an anti-colonialist, a 1960s radical; a Maoist. By the end of his life he seemed to have succumbed to an erstwhile follower, the late Benny Lévy, who himself moved "from Mao to Moses," or Orthodox Judaism.

By comparison, Camus was a loner, and more consistent. If not as philosophically accomplished as Sartre, he developed a critique of violence and Marxism that has aged well. Today it is toasted everywhere. Camus represents an independent, sometimes quirky, leftism. It seems fitting that another maverick thinker, the American Dwight Macdonald, translated and published Camus's 1946 articles calling for a new peace movement, *Neither Victims nor Executioners*.

Yet attractiveness is not a political category. To seriously assess these figures we must resist Camus's considerable charms and look into Sartre's difficult face. On the issue of colonialism Camus's moral philosophy showed signs of fraying. For the French in the 1950s, Algeria was the problem of the day. Unlike Sartre, Camus, of course, knew Algeria well; he grew up there and set his stories there. But though Camus spoke out movingly in favor of reconciliation between French Algerians and Muslims, he proved incapable of grasping the national aspirations of Algeria's Arabs and Berbers. He wanted peace, agreements, freedom and nonviolence. But he refused to accept the end of French rule. As Camus dithered, Sartre denounced the French use of torture in Algeria and came out in favor of independence when the idea was unthinkable to most of his countrymen. Twice the OAS, a terrorist paramilitary group devoted to the cause of *Algérie française*, bombed Sartre's apartment.

Aronson comes down hard on Camus's ambivalent response to French colonialism. On this issue Sartre shows the greater realism—perhaps the greater toughness of the two. It may have been easier for Sartre, but that is not the question. Sartre understood that sometimes a third option—peaceful accommodation or new accords—does not exist; and that the hour for a French Algeria was past. "A fine sight they are too, the believers in nonviolence, saying that they are neither executioners nor victims," wrote Sartre in his preface to Fanon's *Wretched of the Earth*, alluding to Camus. "Very well then; if you're not victims when the government which you've voted for, when the army in which your younger brothers are serving without hesitation or remorse have undertaken race murder, you are, without a shadow of doubt, executioners." Touché.

Camus's political Achilles' heel may be his moralism. It is what makes him appealing, but also sometimes questionable. Political realities vanish in fine phrases. This was the heart of Sartre's charge against Camus: He preferred ethereal truths to disorderly choices. Camus's anti-Communism, according to Sartre, became a seductive pose that defended the establishment. Camus was eloquent about the Soviet invasion of Hungary and mealy-mouthed about the French rule in Algeria. To Sartre, Camus sought an unattainable political purity; he did not live in the real world. "I see only one solution for you," Sartre remarked, "the Galapagos Islands." Sartre's existential realpolitik required making hard choices. Yet the Sartrean ethos could easily slide

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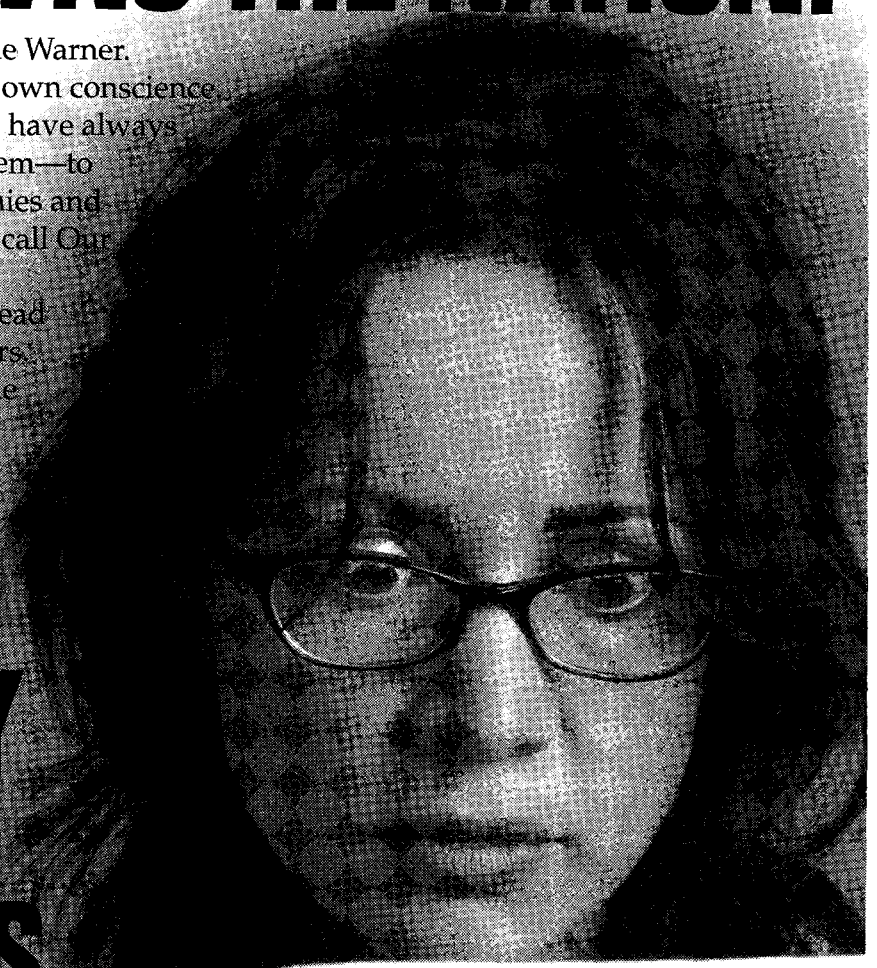

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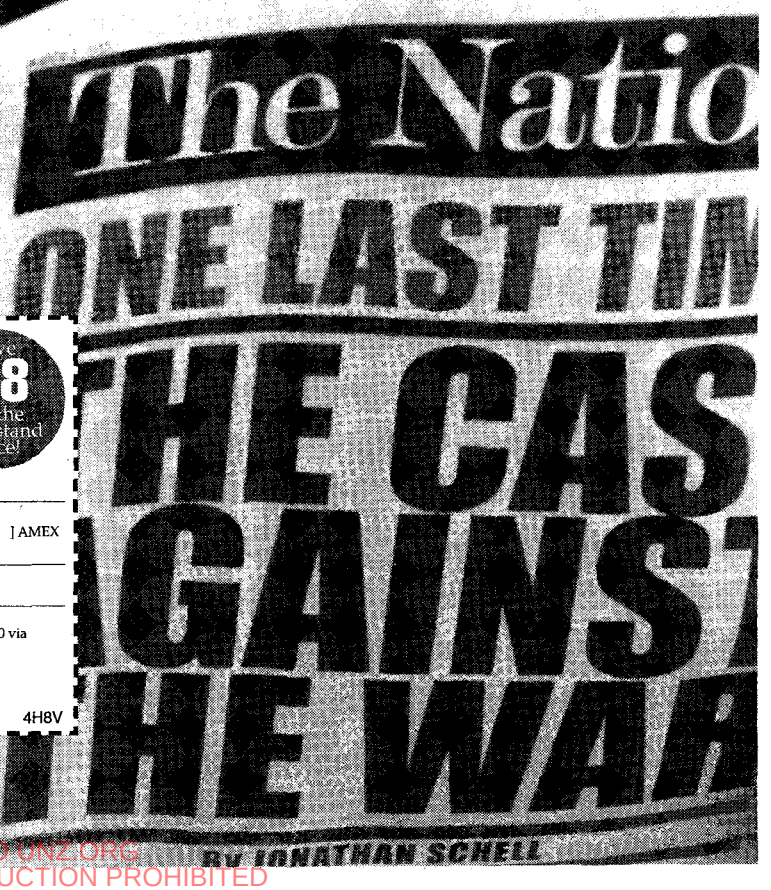

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into justifying political misrule and violence—and it did.

Perhaps Camus flinched when it came to Algeria; perhaps his anti-Communism became too strident, his moral purity too precious. Yet he gave us some fine philosophical pieces and some brilliantly wrought novels from *The Stranger* to *The Plague* and *The Fall*. As Sartre admitted in his eulogy, "He reaffirmed the existence of moral fact within the heart of our era...against the Machiavellians, against the golden calf of realism." This is of no small account. Camus protested the leftist pieties, once far more prevalent than now, on the imperatives for revolutionary violence. He also objected to the cheap argument that political reception determines truth and that *The Rebel* must be suspect if conservatives cheered it. A "book is not true," he pointedly observed, "because it is revolutionary"; it may be revolutionary because it is true.

And Sartre himself? His faults are increasingly obvious—personal, intellectual and political—yet how much poorer would we be without his *oeuvre*! It is almost the vastness that is startling, the extent that Sartre poured himself into everything—and that words poured out of him. Indeed, his autobiography, which does not get beyond the age of 10, is called *The Words*. But with all the words he wrote Sartre finished virtually nothing. The hapless reader who makes it through the 800 pages of *Being and Nothingness* will discover that the last sentence evokes questions that will be taken up in a "future work." Sartre considered his five volumes on Flaubert a preface to his unwritten sixth volume. Yet his shortest works may endure the longest—his *What Is Literature?*, *Anti-Semite and Jew*, *Existentialism and Human Emotions* and other essays, plays, prefaces and lectures.

Aronson bravely challenges the anti-Sartrean sentiment of our day. After all, why assess a chapter in two lives if only to confirm the prevailing sentiment that Camus was a mensch and Sartre a no-goodnik? Unfortunately, Aronson is less convincing than he might have been. His account is ultimately somewhat airless; he opens too rarely the window to larger issues. We circle in and around the comments, writings and gestures of Sartre and Camus. What was the significance of Camus slamming the door after an argument at a party in 1946? Did Simone de Beauvoir misrepresent this incident in her memoirs? How do Sartre's comments about Camus in 1944 tally with his remarks of 1952 and 1970? An impatient reader might want to jump straight to the exemplary collection *Sartre and Camus: A Historic Confrontation*. This includes not only the pertinent documents—the review of *The Rebel* by Sartre's protégé Francis Jeanson, which spurred the break, and the responses to it—but essays by American scholars that give the background and context of the fallout.

Aronson is surely right to remind us that both Sartre and Camus fastened on part of the truth—the need, on the one hand, for real, if unpretty choices and, on the other, for moral verities. About Algeria the half-blind Sartre saw further than Camus. Yet Camus possessed a superior moral compass. The early death of Camus precludes a wider comparison. We don't know how he would have evolved as a political thinker, but this may not be urgent. If Sartre and Camus wrangled with each other, they mainly wrangled with the issues of the day. On this they agreed: the necessity of seizing the political moment. The French intellectuals who followed them—the Althussers, Lacans, Foucaults, Derridas—failed to address politics with the same passion and clarity. We return to Sartre and Camus because they were supplanted but not surpassed. ■

The Secret Sharer

CLAIRE MESSUD

THE GOOD DOCTOR. By Damon Galgut. Grove. 215 pp. $23.

Although the epigraph of Damon Galgut's novel is taken from Chekhov, it is the ghost of Graham Greene that hovers most palpably over *The Good Doctor*, and even in the cadence of its title. In particular, *The Quiet American*, Greene's depiction of the cynical British journalist Fowler's entanglement with Pyle, the misguided American idealist, in 1950s Vietnam, echoes through Galgut's post-colonial narrative. *The Good Doctor* is the first-person account by Frank Eloff Jr., a doctor at a remote and forgotten hospital in a former South African homeland, of his peculiar friendship with one Laurence Waters. This latter, a "bland, biscuit-coloured young man, almost a boy still," is the novel's namesake, whose naïve passion and idealism stand in notable, and oft-noted, contrast to Frank's embittered resignation. Of course, the tale's irony lies in the fact that it is Frank as much as Laurence whose projections and miscalculations bring tragedy to their lives. While Laurence may seem blithely, ahistorically optimistic, Frank sees the world through the bleak prism of the "old" South Africa; and both perspectives, the novel would seem to suggest, are pernicious.

Galgut, perhaps again mindful of Greene, writes taut and compelling prose. The novel is slight—barely more than 200 pages—and yet feels freighted with mystery and moment, replete with significant incident. Whether in fact the apparently significant is necessarily meaningful is one of Frank's preoccupations: At one point, he dismisses the new South Africa as mere "words and symbols" with little faith in either; and yet the matter of the narrative, Frank's very telling, would suggest otherwise. From the outset, the hospital is described as "a strange twilight place, halfway between nothing and somewhere," where "for the few of us still remaining, life went on between twin poles of banality and violence." The rural landscape, initially beloved by Frank for "the fertility and fecundity of it, the life it gave off," has come to seem "oppressive and somehow threatening. Nothing could be maintained here, nothing stayed the same.... You could not clear a place in the forest and expect to find it again two weeks later." In short, the very buildings and foliage have transformed into symbols: Like language, they speak. But what they say depends, radically, upon the listener.

Frank Eloff, we learn, has been "six or seven" years in this isolated hospital, a (curiously vague) duration that corresponds, very nearly, to that of the "new" nation itself. Abandoned by his wife, Karen, who took up with his medical partner, best friend and former army buddy, Mike, Frank fled Johannesburg for the hinterland, a willful escape to "a ghost town" on the tenuous and ever-unfulfilled promise that the hospital's director, Dr. Ruth Ngema, would move on and pass her position to him. Unlike the idealistic Laurence, who has fashioned a moving personal narra-

Claire Messud is the author, most recently, of The Hunters *(Harvest), a pair of novellas.*

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tive—which proves, fascinatingly, to be fictional—in order to justify his choice of profession, Frank is a doctor by default, the son of a prominent celebrity medic whose early bravery in treating victims of a mining accident led to hosting a medical quiz show on television. (This is the one moment where the novel strains credulity: Who can conceive of a successful medical quiz show?) "I imagined not only that I wanted to be like him, but that it would be easy to do," Frank observes. "But of course it hadn't happened like that..." In abandoning his failed marriage and his urban practice, Frank has also left behind the comforts of the traditional prosperous white South African life: a world of luxuries, maid service and powerful connections. Karen carps, at one point, "Don't you think it's time to come back to civilization?... Do you think we feel sorry for you? Mike says you like to suffer to get attention."

In this, Frank resembles his younger counterpart more than he might like to admit. Laurence has arrived for a year of community service; it is a mandatory undertaking, but he has actively sought this godforsaken commission. "All the others, the students, I mean, they just wanted the most comfortable posting," Laurence explains to Frank. "I thought: let me be different to them. Let me find the tiniest place, the furthest away from anything. Let me make it hard on myself." And further—most frighteningly to Frank: "I want to do work that means something." Their motives may diverge, but both men are engaged in a form of purgatorial self-exile, one in service to the future, the other, less admissibly, to the past.

As the plot unfolds in a series of minor lies, missteps and naïve presumptions, what emerges is that neither Laurence nor Frank is equipped to tackle this country that is supposedly theirs; and that in spite of their vast differences—the differences between one generation and the next, in a nation reconceived—they will always have more in common with each other than with anyone else around them. While Laurence insists obsessively on his friendship with Frank, the latter is painfully equivocal; but he is also unable to deny their bond. Laurence's girlfriend even suggests that the two men are in love with each other, but reality is perhaps simpler than that: In crudest terms, their connection is summed up from the outset in the unspoken rationale behind their shared living quarters: "It wasn't just that Laurence Waters and I were doctors; it was that we were two white men, and we belonged in a room together."

Their common struggle—the endeavor to reconstruct an identity, and in this case a white identity, in the postapartheid nation—is currently the subject of many of South Africa's white writers (and surely of black writers such as Zakes Mda, although their work is less widely known in this country). *The Good Doctor* has been compared to J.M. Coetzee's *Disgrace*, and not without reason, as both novels inhabit the lives of less than wholly sympathetic protagonists who, far from the cities that raised them, attempt and fail to comprehend their country's new racial, social and indeed cultural configurations. Variations on this theme, albeit more oblique, are to be found also in Nadine Gordimer's recent collection, *Loot and Other Stories*. But while Coetzee's David Lurie is clearly of an "old" South African generation, as are Gordimer's characters, and while Lurie's daughter Lucy is, like Laurence Waters, of a "new" generation, Frank Eloff falls somewhere in between: still relatively young, and yet formed, indeed tainted, by the evils of the old administration. Herein lies the particular power of Galgut's novel.

Galgut's protagonists are engaged in a form of purgatorial self-exile—one in service to the future, the other to the past.

If Laurence Waters embodies the limpidity of his surname, Frank bears the bullish straightforwardness of his given name: He does not pretend to be noble or courageous, but he does—we are to assume, from his relentlessly unflattering self-portrait—attempt to tell the truth. While Laurence puts forth a false family history and builds a shrine to an apparently false relationship with a woman who is herself—an African-American with an adopted African name—oddly false, Frank unflinchingly reveals the depths of his own cowardice, the limitations of character that, in some clear but indirect way, have condemned him to the forgotten hospital. Frank's moment of truth occurred when he was a medic in the army, under a brutal commander named Moller: Called upon to examine a prisoner suffering an asthma attack, Frank, in his passivity, colluded in the man's continued torture. Of such weak stuff, he seems to insist, is he forever made. As he tells Laurence, "You can't change anything. Because you can't change the way you are."

The climax of the novel revolves around the hospital's nurse, Tehogo, a man whose family was butchered during local unrest, and who may be affiliated with the Brigadier, the region's ousted former leader and a shadowy presence still. Frank discovers that Tehogo has been looting the hospital of furniture and supplies, and shares his secret with Laurence. Meanwhile, Frank's nemesis Moller resurfaces, a colonel now, to oversee unnamed military activities in the area.

Predictably, Frank and Laurence react in very different ways to the situation. As Frank observes, "So simple: one issue, all the complexities and contradictions reduced to a simple moral needlepoint. And that was Laurence. Something was either good or bad, clearly and definingly so, and you acted accordingly." Laurence apparently deems stealing wrong, and feels he must tell Dr. Ngema about Tehogo, initially claiming, untruthfully, that it is his own discovery. Ultimately, however, he is willing to accept Dr. Ngema's support for further clinics in return for letting Tehogo off the hook.

The novel, however, is told through Frank's eyes, and it is his worldview that takes precedence. In this way, a sequence of superficially unrelated events amounts to a far-reaching and terrifying conspiracy. As he says, "All the elements of a foreign world were coming together for me, assembling to make a picture of the past." Tehogo is no simple thief; he is an envoy of the Brigadier, whose dark hand reaches, too, to threaten Frank's unfortunate lover, Maria. Moller is not merely in town to deter small-time smugglers but to crush the Brigadier's invisible insurgent band. The battles of an earlier South Africa are to be resumed and fought upon this forgotten and murky ground.

Frank's landscape becomes increasingly the terrain of nightmare, punctuated by abandoned encampments, neglected settlements, unexplained disappearances and reappearances and, through it all, the breathless, stumbling, baffled figure of Frank himself. This is ultimately a story about Frank rather than about Laurence; and of course, Laurence as we see him is only ever Frank's construct, perhaps as distorted as are his creations of Maria, of Moller, of the infamous Brigadier. (In this, Frank recalls Ford Madox Ford's narrator in *The Good Soldier*, whose title *The Good Doctor* also echoes.) And of course it is Frank—the cynic, the conspiracy theorist, the coward—who is also the survivor. The facts leading to Laurence's end appear to be random; but in Frank's telling,

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Laurence is doomed from the instant of his arrival: The novel opens with the sentence "The first time I saw him I thought, *he won't last*." While Frank's misconception of the world may endorse, even condone, evil, it is apparently preferable to Laurence's, which leads nowhere.

Galgut's portrait of the new South Africa is not flattering. Dr. Ngema is a hypocritical bureaucrat, a time-server. Colonel Moller remains as he ever was, a brute licensed by his uniform. Frank's family and former life in Johannesburg continue, complacent, unchanged by time. And while Frank and Laurence enact the struggles confronting white South Africans, neither presents a viable moral alternative. If Coetzee's David Lurie comes, in *Disgrace*, to an agonized and devout renunciation that seems, almost, a negative state of grace, Galgut's Frank Eloff arrives merely at a place of greater and more cynical resignation: "I am content," he notes, as he takes over Dr. Ngema's room at last. "Maybe this is only the false peace of resignation. But I feel, somehow, that I have come into my own."

Galgut's fine, unsettling novel implies that if this meaningless bureaucratic triumph constitutes Frank's success, then the lessons of South Africa's dark history have never been, and perhaps never can be, digested. Frank more accurately assesses the situation when he sees Maria for the last time, and concedes, "I was only here to learn again how much I didn't know and would never understand." ■

Moses Goes Down

MATT STEINGLASS

SNAKEPIT. By Moses Isegawa. Knopf. 259 pp. $24.

If upon reading the first sentence of Moses Isegawa's debut novel, *Abyssinian Chronicles*, in an Amsterdam bookstore a few years back, I quickly re-read it a few times and committed it to memory, it was because it reminded me so strongly of the sunny afternoon in Jerusalem twenty years earlier when my father recited to me what he considered the greatest opening line of any novel ever. It was the famously whiz-bang first sentence of *One Hundred Years of Solitude*: "Many years later, as he faced the firing squad, Colonel Aureliano Buendía was to remember that distant afternoon when his father took him to discover ice." Unfortunately, that was far from the last time my father would recite García Márquez's line to me, and it loses a bit of suspense with each go-round. But it remains a great model for opening sentences—the movie-trailer temporal hopscotch, the exotic locales, the ambiguous figure of the father at the center of an implied mystery. I've even used the model myself, occasionally.

The leadoff of *Abyssinian Chronicles*—"Three final images flashed across Serenity's mind as he disappeared into the jaws of the colossal crocodile: a rotting buffalo with rivers of maggots and armies of flies emanating from its cavities; the aunt of his missing wife, who was also his longtime lover; and the mysterious woman who had cured his childhood obsession with tall women"—was a naked homage to García Márquez. (Serenity, we learn at the beginning of the next sentence, is the narrator's father. How the narrator might be privy to what was going through his father's mind at the moment he was being eaten is typical of the book's occasional inconsistencies in point of view, which are either lazy or ingenious—it's hard to decide.) In interviews in the late 1990s, Isegawa professed a desire to do for African writers what García Márquez had done for Latin American ones. Opening up with such a blatant tribute was a daring move: Isegawa was tying his anxieties of influence around his forehead and coming out swinging. But it worked. In 1997, when he dropped off his unsolicited manuscript at the Dutch publishing house De Bezige Bij, Isegawa was an unknown Ugandan émigré living in the nondescript planned town of Beverwijk. Three years later, he was the next big thing in postcolonial literature.

Having won himself an audience, Isegawa proceeded to scandalize it. The hero of *Abyssinian Chronicles*, Mugezi, spends the book's final chapters heaping abuse on the patronizing reverse racism of the left-wing Dutch society that takes him in, and Isegawa apparently shared Mugezi's critique. In interviews, he attacked the media and his public for expecting him to represent the African viewpoint; denounced Western development aid as a scheme to sink African countries further into debt; and characterized the Dutch welfare state as a way of bribing the population into political quiescence. In 2001 he published (in Holland only) a semi-fictional essay, *Two Chimpanzees*, which alleged that AIDS had been deliberately spread in Africa by the US government, and that humanitarian organizations' vaccination programs in Africa had destroyed the continent's immune system. Isegawa's enormous literary talent began to be overshadowed by his politics.

It has been four years since *Abyssinian Chronicles* came out in the United States, and Isegawa's second book, *Snakepit*, is at last being published. The delay might seem to signal a case of sophomore nerves, but in fact *Snakepit* was published in Holland in 1999. (Isegawa is in the odd position of having his books translated and published in Dutch before they ever appear in the original English.) Why the long wait? Obviously, Isegawa is a bigger phenomenon in Holland than in America. But *Snakepit* also seems a particularly risky book to publish. *Abyssinian Chronicles* was a grand, playful, exotic ramble, a violent picaresque novel in the spectacular setting of Idi Amin–era Uganda. Its bitter characterizations of familial conflict and civil war were sweetened by affectionate character portraits and sympathetic interior dialogues. *Snakepit* returns to Amin's Uganda, but it has all of the earlier book's bitterness and little of its sweetness. As its title suggests, this is a slimy, tortuous, poisonous book.

Bat Katanga, *Snakepit*'s protagonist, finishes a postgraduate degree in mathematics at Cambridge in 1972 and comes home to Kampala. Amin has just kicked out the country's foreigners, and Bat's motives for returning are a mixture of patriotism and careerism, chiefly the latter: "Fifty thousand Indians and 180,000 Africans from different countries had been expelled, leaving many places open in the civil service. It seemed that flag independence was giving way to economic independence, and [Bat] wanted to be part of it." A leading man with a soft spot for ethnic cleansing places us firmly in the zone of moral ambiguity, and we wonder where things will head. After a brief interview in a missile-laden, airborne helicopter with a fictional Amin deputy, General Samson Bazooka Ondogar, Bat is given control over the country's power industry. He excels at his job and glories in its perquisites, driving a fast sports car, living in a

Matt Steinglass was a journalist in West Africa for two years. He now lives in Vietnam, where he writes for the Boston Globe *and other publications.*

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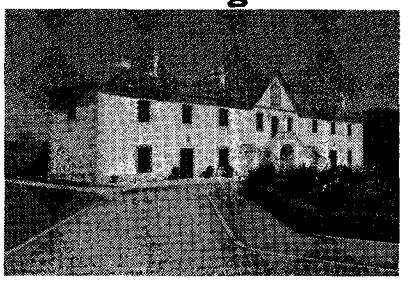

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colonial mansion and acquiring a mouthwatering and devoted concubine, Victoria.

What Bat doesn't know is that the semiliterate, Machiavellian General Bazooka actually means to destroy him. Victoria is his plant, an agent of the secretive State Research Bureau. Bazooka, however, fails to realize that Victoria has fallen in love with her mark. When Victoria becomes too possessive, Bat proceeds to reject her (and their daughter) in favor of a more pliable, less independent wife. He is soon "disappeared," detained in a dank cell underneath his own ministry—not, as Bat thinks, because he has accepted a multimillion-dollar bribe from a Saudi sheik but because General Bazooka incorrectly believes him to be spying for his rival, a vicious British mercenary named Robert Ashes, who has become Amin's new confidant while secretly working for British intelligence…

And so it goes. The book moves at breakneck speed. Isegawa has called *Snakepit* an "adventure story," and indeed it reads like a magical-realist Tom Clancy thriller, with far more violence and no good guys. The book's cruelty and amorality are positively Jacobean. Ashes, trying to get the number of a Cayman Islands bank account from a British businessman, has his wife's feet smashed off with a stone pestle. Victoria hires a gang to slice Bat's new wife to pieces in her bath. Bat is forced to beat fellow detainees to death with a hammer. Bazooka cuts off his own little toe on a wager. There's even a Clancy-style obsession with prestigious objects of technology, for which Isegawa invents a raft of make-believe brand names. The young General Bazooka kills three men for an "Oris Autocrat" wristwatch; later he flies a "Mirage Avenger" helicopter, and carries an "AK-57" rifle. Another general has "MiG-250" bombers at his command. Bat drives a "Jaguar XJ10"; others drive "Boomerangs," "Stingers" or "Euphoria 707s."

It is not at first clear what Isegawa is trying to do with these fanciful product names. They aren't clever enough to work as jokes. But as the catalogue expands, it becomes apparent that the nonexistent objects help Isegawa cast his tale in an aura of fairy-tale nonspecificity, a nonspecificity he needs to sustain a rather fantastical plot that nonetheless makes use of real historical characters and settings. The recently deceased Ivoirian writer Ahmadou Kourouma employed a similar device in *Waiting for the Savage Beasts to Vote*, his excellent 1998 political *roman à clef*: The historical leaders of post-independence Africa were disguised as "The Man with the Leopard Totem" (Mobutu), or "The Man whose Totem is the Crocodile" (Houphouet-Boigny). In Kourouma's book, the griot-style epithets highlighted the traditionalist mythology invoked by so many first-generation African presidents. In *Snakepit* the fantastical consumer technology alludes to the brand-name fetishism that the book's characters share with the elites of so many of the world's failed states.

The word "fetish" stems from a Portuguese word for the charms that sixteenth-century traders believed Africans worshiped. There's an interesting line of argument that the idea of the fetish evolved from European anxieties about value in the nascent global exchange economy—that, in the context of a trade in which common copper bracelets could be exchanged for gold or slaves, Europeans created the "fetishistic" African to embody their fear of the irrationality of attachment. Later, when Marx and Freud evoke fetishism, whether of the commodity or sexual kind, the figure of the Europeans' imaginary African hovers in the background. In any case, *Snakepit*'s vision of an African elite riven by division and greed, preyed upon by foreign merchants and mercenaries, destroying its homeland in its craving for foreign baubles, finds echoes throughout today's African popular culture, from the lyrics of Alpha Blondie to the films of Cheikh Omar Sissoko and Tunde Kelani.

So Isegawa is treating in powerful themes. Still, his savage portrait of the corruption of Amin-era Uganda cannot avoid a suggestion of dead-horse flogging. Is the author trying to say something, by analogy, about contemporary Uganda, Africa, the rest of the world? Or is he simply mining this grotesque landscape for dramatic characters and situations, rolling in the filth for the sheer fun of it?

The grimness of *Snakepit* is particularly striking given that Isegawa has elsewhere denounced overly harsh Western coverage of Africa. "Every time you see something about Africa, it has to be negative," Isegawa told *Transition* magazine in a 2000 interview. "But 90 percent of our African experience is not about war or violence; it is about people getting on with their lives." True enough, but *Snakepit* is unlikely to redress the balance.

One hint to what Isegawa wants to do with *Snakepit* may be his affecting portraits of the book's more distasteful figures. (This includes pretty much all of them.) Even the most revolting characters are granted a moment in their own point of view; and it is surprising, despite the novel's galloping pace, how much nuance and feeling Isegawa can invest them with. General Bazooka, the barely schooled murderer, is

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driven by a deep emotional dependence on his mother and first wife, and a violent resentment of educated southerners; when one of his sons does badly in school, he rejoices. Bat's brother-in-law Mafuta is a clumsy, overweight man who had the bad timing to study town planning in early-1960s Uganda. The mutual resentment between him and the superior, career-obsessed Bat is utterly convincing. The female characters are less so, and at moments Isegawa reveals an embarrassing, anatomically explicit chauvinism. But Victoria, at least, has a convincing enough backstory of grief and striving that when she finally resorts to murder, we feel regret.

In *Snakepit*'s better sections, this omnidirectional empathy for despicable characters produces a dissonance reminiscent of Gogol, or a good episode of *The Sopranos*. One finds oneself momentarily sharing the loathsome Ashes's disdain for his victims, and, a bit later, pitying poor Bazooka, who is reduced to fleeing for his life as Amin's regime collapses. Isegawa is an admirer of the Ugandan political scientist Mahmood Mamdani, whose 1984 book *Imperialism and Fascism in Uganda* treated Amin as an intelligent, calculating politician rather than the bloodthirsty buffoon of Western press caricatures. *Snakepit*'s sympathetic monsters may be an effort to extend Mamdani's insight.

So this may have been the book Isegawa wanted to write: a fast-moving Third World thriller combining an uncompromising Dostoyevskian moral sympathy with an uncompromising Cormac McCarthy brutality. But he hasn't succeeded. For much of its length, *Snakepit* teeters on the brink of dissolution. Plot elements are often weirdly sketchy; major developments are described in a vague shorthand. More important, neither of the book's antagonists, Bat and Bazooka, seems to make any intellectual or emotional headway. At the end of the book Bat is given a reflective coda that seems entirely devoid of significance.

It's hard not to feel that the book's failure has something to do with Isegawa's attitude toward his audience. In essays and interviews, Isegawa baits his European public mercilessly. Europe is "a continent of slow learners, who needed 8,000 years to assimilate Arabic and Chinese technology." Its people are no giants, as he once thought, but "average people...who have put their fate in the hands of bureaucrats." His attitude toward his (presumably much smaller) African readership is even more dismissive. On returning to Kampala for a promotional tour for *Abyssinian Chronicles*, he shrugged off local reviewers: "When you've been reviewed by the *New York Times* and *Time* magazine, do you really care what some little Ugandan paper thinks?"

Disdain for one's public is not necessarily an unproductive attitude for a writer. It becomes dangerous only when it leads one to do sloppy work, in the belief that the readers don't know any better. *Snakepit* has the feel of a rush job. It is no mystery why Knopf waited five years to publish it; the surprise is that they're putting it out at all.

About halfway through *Snakepit*, Bat takes his docile country wife, Babit, on a trip to London. Describing Babit's reaction, Isegawa hauls out an absolutely killer, farm-fresh metaphor: "The luxury and magnificence of the city sat in her mind like a bull in a hut." This is either a familiar Luganda expression or more evidence that Moses Isegawa is a major writer. In either case, it's clear he's in the same bind as Babit: The problem of European-African relations is sitting in his mind like a bull in a hut. With any luck, once he works through it, or stops thinking about it, he will go on to produce another great novel. ■

The New Critic

CHALMERS JOHNSON

THE CHOICE: Global Domination or Global Leadership.
By Zbigniew Brzezinski. Basic. 242 pp. $25.

The American foreign affairs establishment seems finally to have gotten worried about the antics of the Boy Emperor. It stood by, more or less mute, while the Bush Administration abandoned the United States' traditional role as a status quo power. We no longer stand for peace, legality, stability and prosperity in the face of the challenges of revisionist powers, nations that seek a total recasting of the global balance of power. Older examples include Fascist Italy, Nazi Germany, imperial Japan, Communist Russia and Mao's China. With the help of the neoconservatives who have taken over the Pentagon, we have now become the most revisionist power in history, using our armed missionaries to stuff our version of democracy and free markets down the throats of all other peoples on earth. Overcome by pride, arrogance and the erroneous conclusion that we "won" the cold war (we just didn't lose it as fast or as badly as the former USSR), many Americans have come to believe that we are a New Rome, a colossus athwart the world, beyond law or the need for friends, exercising hegemony over all other nations through our overwhelming military force.

Zbigniew Brzezinski is a perfect representative of the old cold war establishment. He's a Democratic Party hawk who once sought to demonstrate to President Jimmy Carter and the nation that he could be just as unscrupulous in the role of National Security Adviser as his Teutonic predecessor, Henry Kissinger. Both men were university professors of international relations before entering the government as civilian militarists. One of Brzezinski's last official acts was to begin arming insurgents in Afghanistan with the intent of provoking a Soviet intervention. When later asked by the French weekly *Le Nouvel Observateur* whether he regretted having supported Islamic fundamentalism and given arms and advice to future terrorists, Brzezinski replied, "What is more important to the history of the world? The Taliban or the collapse of the Soviet empire? Some stirred-up Moslems or the liberation of Central Europe and the end of the cold war?" Whatever turns out to be more important in world history, Brzezinski has always kept the interests of his native Poland (now our "enthusiastic new ally," as he proudly puts it) in the forefront of his strategic thinking.

In *The Choice*, Brzezinski recommends that the United States try to reclaim its former identity as a status quo power and return to a policy of leadership rather than of domination over the rest of the world. With this book, he is refashioning himself as a realpolitik critic of the Bush Administration, a position that could help the cause of peace. He is, however, so cautious in his analyses as to defeat his purpose. After our unsanctioned, unilateral assault against Iraq, he understands how hard it would be to restore the world's trust in our country. But at the same time he wants to avoid being read out of the establishment as a "liberal," at the risk of forfeiting his perks as a guest

Chalmers Johnson's latest book is The Sorrows of Empire: Militarism, Secrecy, and the End of the Republic *(Metropolitan).*

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on the international deep-thinkers circuit—e.g., the Trilateral Commission, which he once headed—and as a $25,000-per-diem adviser, along with George Will, Richard Perle, Henry Kissinger and others, to the embattled right-wing media mogul Conrad Black. He therefore cushions his criticism of current Bush Administration policies in every cliché ever uttered about America's magnificence in a "unipolar world."

He endlessly cites "the historically unique scope of sovereign American power," claims that "Washington, D.C., is the first global political capital in the history of the world," asserts that "foreign affairs have become inside-the-Beltway affairs," contends that we are "the world's social pioneer," muses on "the centrality of American economic vitality for the well-being of the world economy," worries whether "America's culture [is] compatible with an essentially imperial responsibility" and concludes, as if he were a Bush speechwriter, "The fact that America possesses peerless global political clout makes it the focus of envy, resentment, and, for some, intense hatred." Each of these propositions can be seriously questioned.

The United States is bogged down in Iraq fighting a civil war we helped to spawn and what is well on its way to becoming a nationalist insurgency against easily identifiable foreign invaders intent on stealing the country's resources. Warlord-ruled Afghanistan is once again a breeding ground for terrorists and the world's largest producer of opium. In championing and even emulating Ariel Sharon's approach to Israel's neighbors, the United States forfeits all influence in the Islamic world and has greatly contributed to the long-term dangers to Israel itself. George Bush's militarism has undermined the claims of economic "globalization" and insured that the Third World conflates the two. The United States' loss of global economic influence is now irreversible. In 2003 China grew at a rate of 9.1 percent, and it is becoming the trading partner of choice for the developing world. Bush's policies have caused the unraveling of the Atlantic Alliance and the hollowing out of NATO. Prime Minister Tony Blair's support of American radicalism means that Britain will have no influence in Europe for decades. Meanwhile Bush promotes our "full spectrum dominance," the pursuit of which is speeding the decline of the American empire even faster than would otherwise be the case.

Brzezinski tacitly admits these problems and has some intelligent things to say about them. He recognizes that the only way to fight terrorism is to try to separate the activists from their passive supporters so that the passive supporters will supply intelligence on the activists. He knows that the only way to do that is to address the legitimate grievances of the passive supporters and to alter our policies accordingly. Using our high-tech military to kick down front doors and barge into private homes only creates more terrorists. As Correlli Barnett, the prominent British military historian, has observed, the US attacks on Afghanistan and Iraq have increased the threat of Al Qaeda. From 1993 through the 9/11 assaults of 2001, there were five major Al Qaeda attacks worldwide; in the two years since then there have been seventeen such bombings, including the Istanbul suicide assaults on the British consulate and an HSBC Bank. High-tech military operations against terrorists are the problem, not the solution.

Brzezinski warns that "Victory in the Cold War left America standing astride the world. Not only was it dominant, but no globally appealing and intellectually comprehensive indictment of the American system was readily available." But that has changed. "Anti-globalization has been evolving intellectually from a vague sentiment into a counter-creed, reinforced emotionally by anti-Americanism.... America... undercuts the credibility of its moral leadership by demanding of others what it rejects for itself." Brzezinski's message, in short, is that "worldwide hostility could... be as threatening to America, despite its global power, as regional hostility has proven to be for Israel."

It's refreshing to hear this from Brzezin-

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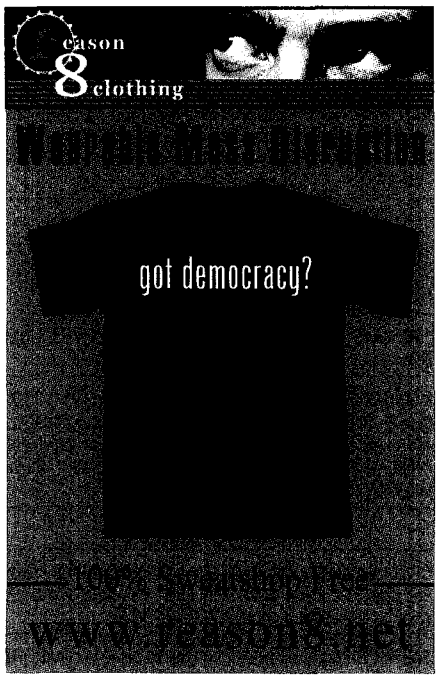
ski. But none of this is new, and all of it probably comes too late. Moreover, Brzezinski's treatment of the critical shortcomings of our government is pathetically inadequate and fails notably to register any sense of his own responsibility for the growth of Al Qaeda, whose rise owes much to Carter's support for the mujahedeen in Afghanistan. He ignores the spiraling growth of militarism and the rampant misuse of secrecy to cover up the deals and crimes of insiders. He criticizes the growing influence of ethnic interest groups over American foreign policy, including Likudniks, Armenians and Greeks, but omits mentions of the activities of Polish-Americans. He says virtually nothing about our out-of-control "defense" budgets (he regards the current level of Pentagon spending as "relatively tolerable"). Nonetheless, as it is clearly intended, this little book might get Zbig a slot in a John Kerry administration. They are pretty much on the same wavelength. ■



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ORGANIZATIONS

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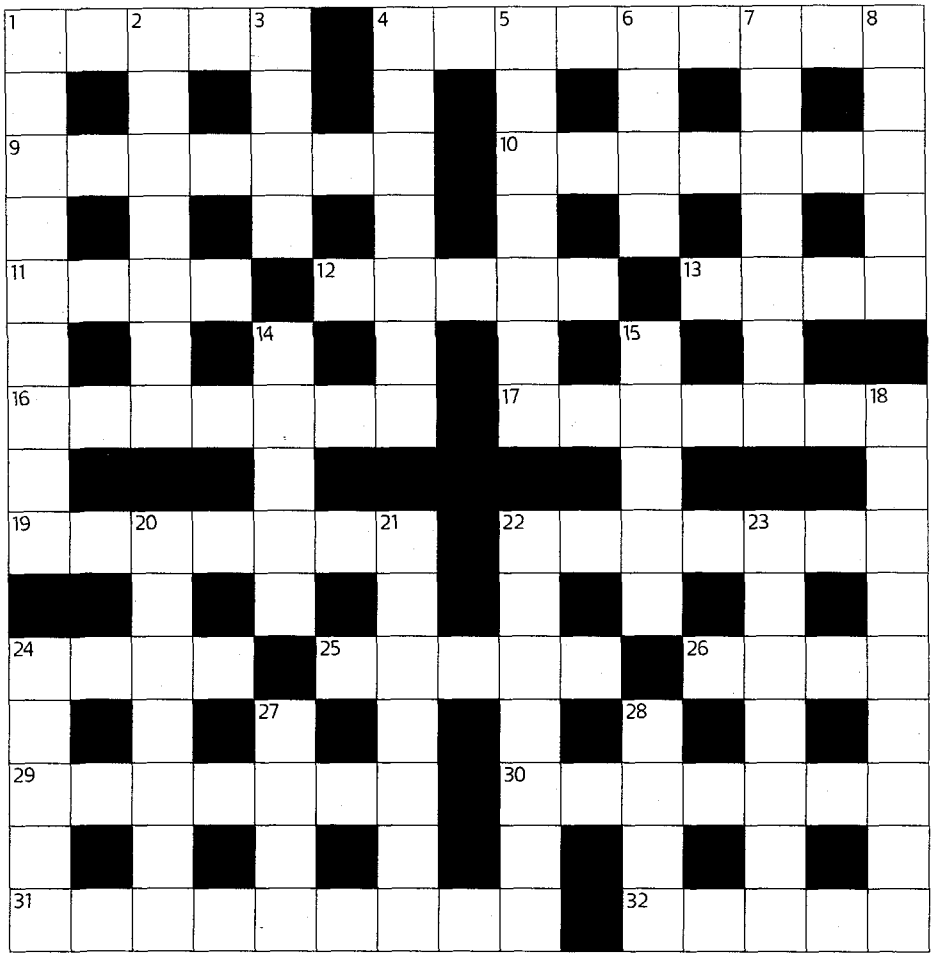

ACROSS

1 In the main, changes the direction of what may be holding down the carpet. (5)

4 Lear is mad about the way one listens to what may be just a run-through… (9)

9 … and makes a mistake about it being what some have to run on. (7)

10 Not drawn, to tell the truth—but it did its part in Sherwood with a protracted gesture to the audience. (4,3)

11 and **13** One way out might be to lift the paws at the entrance. (4,4)

12 Worn according to the custom? (5)

13 See 11

16 See 27 down

17 I hang back—back—meeting a lion, a physicist and an astronomer. (7)

19 The soldier in a neighborly environment, which is quite to be expected. (7)

22 The way some get angry at the drinking counter, when a lot of shells are dropped this way. (7)

24 Certainly not a straightforward game—but that's the way to beat someone! (4)

25 Fish—and what they did when out of water too long. (5)

26 A member of a race that doesn't quite make a helot. (4)

29 Cut in, which makes the English start to act like crazy! (7)

30 Possibly pet foundation at New Jersey with one. (7)

31 and **32** If you're a fighter pilot, this is where you hope to be when the shooting starts—most superior. (2,1,6,5)

DOWN

1 and **24** Where the islands are literally a land of fire. (6,3,5)

2 To be sure, you'll see an indistinct trace in this. (7)

3 and **14** What the belle dame was? No thanks! (3,5)

4 Little ones in the old movies, who could become Lascars. (7)

5 What the group might be doing when told to stop stammering, in a way. (7)

6 Charley's was from Brazil, where the nuts come from (*a* nut, anyway). (4)

7 Fuel that keeps the underwater craft going, and makes for a dirty bed. (7)

8 and **18** One might have to in singing "Rocked in the Cradle of the Deep"—especially if one doesn't want to be heard. (5,4,5)

14 See 3

15 A possibly large stream of light that might distract you on the road, causing a dirty look. (5)

18 See 8

20 A reputedly peachy state to be in with a bad case of ego when the capital of Latvia is in revolution. (7)

21 Young animal—the sort associated with a walk. (7)

22 With a messy robe around the scientist's work area, one shouldn't do it to point. (7)

23 The Home of the Brave? Homer is received with ovation if one such makes it. (7)

24 See 1 down

27 and **16** across What some people take traveling with those who shimmied at one time—though they reputedly only charged ten cents. (4,7)

28 Find an unknowing type here, right away! (1,1,1,1)

SOLUTION TO PUZZLE NO. 2933

E	S	C	A	P	I	S	M	■	H	A	R	D	A	S
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